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OF
THE LAWES
OF
Ecclesiasticall Policy,

The *Sixth* and *Eighth* Books.

BY

RICHARD HOOKER.

A work long expected, and now published according to the most Authentique Copies.

LONDON,
Printed by *R. B.* and are to be sold by *George Badger* in S Dunstans Churchyard in Fleetstreet 1651

To the Reader.

HEre is presented unto thee, *Two of the Three so long expected and much desired Books of Learned Mr* Hookers *Ecclesiasticall Policy*; viz. *the Sixth and the Eight, as they were preserved in the hands of those Mirrours of Learning, Dr* Andrewes *late Lord Bishop of* Winchester, *and the present Dr* Usher *Lord Archbishop of* Armagh, *with great hopes the Seventh would have been recovered, that they might have been published to the Worlds view at once: but endevours used to that purpose have hitherto proved fruitlesse. And now fearing that some erronious, if not counterfeit Copies might come abroad, hath occasioned the Publishing of these, to prevent as much as may be any addition of abuses to the Author; and also that he which so much desired the Vnity of the Church, might have the divided members of his Labours united.*

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C.

OF THE LAWES OF Eccleſiaſticall Politie:

The ſixth Book;

Containing their fifth Aſſertion:

That our Lawes are corrupt and repugnant to the Lawes of God, in matter belonging to the power of Eccleſiaſticall Iuriſdiction, in that we have not throughout all Churches certaine Lay-Elders eſtabliſhed for the exerciſe of that Power.

THe ſame men which in heat of contention, doe hardly either ſpeak or give eare to reaſon, being after ſharp and bitter conflicts, retired to a calm remembrance of all their former proceedings; the Cauſes that brought them into quarrell, the courſe which their ſtriving affections have followed, and the iſſue whereunto they are come, may peradventure as troubled waters, in

The queſtion betweene us, whether all Congregations, or Pariſhes ought to have Lay-Elders inveſted with Power of Iuriſdiction in ſpirituall cauſes.

ſmall time of their own accord, by certain eaſie degrees ſettle themſelves againe, and ſo recover that clearneſſe of well adviſed judgement, whereby they ſhall ſtand at the length indifferent, both to yeeld and admit any reaſonable ſatisfaction, where before they could not endure with patience to be gainesaid. Neither will I diſpaire of the like ſucceſſe in theſe unpleaſant Controverſies touching Eccleſiaſticall Policy, the time of ſilence which both parts have willingly taken to breathe, ſeeming now as it were a pledge of all mens quiet contentment, to heare with more indifferency the waightieſt and laſt remaines of that Cauſe, Juriſdiction, Dignity, Dominion Eccleſiaſticall. For, let any man imagine, that the bare and naked difference of a few Ceremonies could either have kindled ſo much fire, or have cauſed it to flame ſo long; but that the parties which herein laboured mightily for change, and (as they ſay) for Reformation, had ſomewhat more then this marke whereat to aime.

Lib. 6. Lib. 7. Lib. 8.

Having therefore drawn out a compleat Forme, as they ſuppoſe, of publick ſervice to be done to God, and ſet down their plot for the Office of the Miniſtry in that behalfe; they very well knew, how little their labours ſo farre forth beſtowed, would availe them in the end, without a claime of Juriſdiction to uphold the Fabrick which they had erected; and this neither likely to be obtained, but by the ſtrong hand of the people, nor the people unlikely to favour it; the more, if overture were made of their own intereſt, right and title thereunto. Whereupon there are many which have conjectured this to

be

be the cauſe, why in all the projects of their Diſcipline, (it being manifeſt that their drift is, to wreſt the Key of Spirituall Authority out of the hands of former Governours, and equally to poſſeſſe therewith the Paſtors of all ſeverall Congregations) the people firſt for ſurer accompliſhment, and then for better defence thereof, are pretended neceſſary Actors in thoſe things, whereunto their ability for the moſt part is as ſlender, as their title and challenge unjuſt.

Notwithſtanding (whether they ſaw it neceſſary for them to perſwade the people, without whoſe help they could doe nothing, or elſe (which I rather think) the affection which they beare towards this new Forme of Government, made them to imagine it God's own Ordinance,) Their Doctrine is, That by the Law of God, there muſt be for ever in all Congregations certaine Lay-Elders, Miniſters of Eccleſiaſticall Juriſdiction, in as much as our Lord and Saviour by Teſtament (for ſo they preſume) hath left all Miniſters or Paſtors in the Church Executors equally to the whole power of ſpirituall Juriſdiction, and with them hath joyned the people as Colleagues. By maintenance of which aſſertion, there is unto that part apparently gained a twofold advantage, both becauſe the people in this reſpect are much more eaſily drawn to favour it, as a matter of their own intereſt; and for that, if they chance to be croſſed by ſuch as oppoſe againſt them, the colour of Divine Authority, aſſumed for the grace and countenance of that power in the Vulgar ſort, furniſheth their leaders with great abundance of matter behovefull for

their encouragement, to proceed alwayes with hope of fortunate ſucceſſe in the end, conſidering their cauſe to be as *David*'s was, a juſt defence of power given them from above, and conſequently their Adverſaries quarrell the ſame with *Saul*'s by whom the Ordinance of God was withſtood.

Now on the contrary ſide, if this their ſurmiſe prove falſe; if ſuch, as in Juſtification whereof no evidence ſufficient either hath been or can be alleadged (as I hope it ſhall clearly appeare after due Examination and triall) let them then conſider whether thoſe words of *Corah*, *Dathan* and *Abiram* against *Moſes* and against *Aaron*, *it is too much that yee take upon you, you ſeeing all the Congregation is holy*, be not the very true abſtract and abridgement of all their publiſhed Admonitions, Demonſtrations, Supplications, and Treatiſes whatſoever, whereby they have laboured to void the roomes of their ſpirituall Superiours before Authorized, and to advance the new fancied Scepter of Lay-Presbyteriall Power.

Numb. 16.

The Nature of Spirituall Iuriſdiction.

But before there can be any ſetled Determination, whether Truth doe reſt on their part, or on ours, touching Lay-Elders, we are to prepare the way thereunto, by Explication of ſome things requiſite, and very needfull to be conſidered, as firſt how beſides that Spirituall Power, which is of Order, and was inſtituted for performance of thoſe duties, whereof there hath been ſpeech already had, there is in the Church no leſſe neceſſary, a ſecond kinde, which we call the power of Juriſdiction. When the Apoſtle doth

doth speak of ruling the Church of God, and of receiving accusations, his words have evident reference, to the power of Jurisdiction. Our Saviour words to the power of Order, when he giveth his Disciples charge, saying, *Preach, Baptize: Do this in remembrance of me.* Τιμᾶ μὲν τὸν Θεὸν ὡς αἴτιον τῶν ὅλων καὶ κύριον. Ἐπίσκοπον δὲ ὡς ἀρχιερέα Θεοῦ εἰκόνα φοροῦντα, κατὰ μὲν τὸ ἄρχειν Θεοῦ, κατὰ δὲ τὸ ἱερατεύειν Χριστοῦ, *Epist. ad Smirn.* A Bishop saith (*Ignatius*) doth bear the Image of God and of Christ, of God in ruling, of Christ in admiministing holy things: By this therefore we see a manifest difference acknowledged between the power of Ecclesiasticall Order, and the power of Jurisdiction Ecclesiasticall.

Act. 20. 28. *1 Tim.* 5. 19. *Marc.* 16. 15. *Mat.* 28. 19. *1 Cor.* 11. 24

The spirituall power of the Church, being such as neither can be challenged by right of nature, nor could by humane authority be instituted, because the forces and effects thereof are supernaturall and Divine, we are to make no doubt or question, but that from him which is the Head, it hath descended unto us that are the Body now invested therewith. He gave it for the benefit and good of soules, as a meane to keep them in the Path which leadeth unto endlesse felicity, a bridle to hold them within their due and convenient bounds, and if they do goe astray, a forcible help to reclaime them: Now although there be no kinde of spirituall power, for which our Lord Jesus Christ did not give both Commission to exercise, and direction how to use the same, although his Lawes in that behalfe recorded by the holy Evangelists bee the only ground and foundation, whereupon the practice of the Church must sustaine

it ſelf: yet as all multitudes once grown to the form of ſocieties are even thereby naturally warranted, to enforce upon their own ſubjects particularly thoſe things, which publike wiſdome ſhall judge expedient for the common good: ſo it were abſurd to imagine the Church it ſelfe the moſt glorious amongſt them abridged of this liberty, or to think that no Law, conſtitution or Canon, can be further made, either for limitation, or amplification, in the practice of our Saviours Ordinances, whatſoever occaſion be offered through variety of times, and things, during the ſtate of this inconſtant world, which bringeth forth daily ſuch new evils, as muſt of neceſſity by new remedies be redreſt, did both of old enforce our venerable Predeceſſor, and will alwayes conſtraine others, ſometime to make, ſometime to abrogate, ſometime to augment, and againe to abridge ſometime; in ſumme, often to vary, alter and change cuſtomes, incident into the manner of exerciſing that power which doth it ſelfe continue alwayes one and the ſame: I therefore conclude, that ſpirituall authority is a power which Chriſt hath given to be uſed over them which are ſubject unto it for the eternall good of their ſoules according to his own moſt Sacred Laws, and the wholſome poſitive Conſtitutions of his Church.

In Doctrine referred unto action and practice, as this is, which concernes ſpirituall Iuriſdiction, the firſt ſound and perfect underſtanding is the knowledge of the end, becauſe thereby both uſe doth frame, and contemplation judge all things.

Of

Of Penitency, the chiefeſt end propounded by Spirituall Iuriſdiction. Two kinds of Penitency; the one a private duty toward God, the other a duty of externall Diſcipline. Of the vertue of Repentance from which the former duty proceedeth: And of Contrition the firſt part of that duty.

SEeing that the chiefeſt cauſe of ſpirituall Iuriſdiction is to provide for the health and ſafety of mens ſoules, by bringing them to ſee and repent their grievous offences committed againſt God, as alſo to reform all injuries offered with the breach of Chriſtian love and charity, toward their brethren, in matters of Eccleſiaſticall cognizance; the uſe of this power, ſhall by ſo much the plainlier appeare, if firſt the nature of Repentance it ſelfe be known.

We are by repentance to appeaſe whom we offend by ſinne. For which cauſe, whereas all ſinne deprives us of the favour of Almighty God, our way of reconciliation with him, is the inward ſecret repentance of the heart; which inward repentance alone ſufficeth, unleſſe ſome ſpeciall thing, in the quality of ſinne committed, or in the party that hath done amiſſe, require more. For beſides our ſubmiſſion in God's ſight, repentance muſt not only proceed to the private contentation of men, if the ſinne be a crime injurious; but alſo farther, where the wholſome Diſcipline of God's Church exacteth a more exemplary and open ſatisfaction. Now the Church being ſatisfied with outward repentance, as God is with inward, it ſhall not be amiſſe, for more per-

Penitentiæ ſecundæ, & unius quanto in actu negotium eſt, tanto potior probatio eſt ut non ſola conſtientia proferatur, ſed aliquo etiam actu adminiſtretur.

Second penitency following that before Baptiſm, and being not more then once admitted in one man, requireth by ſo much the greater labour to make it manifeſt, for that it is not a work which can come again in tryal, but muſt be therefore with ſome open ſolemnity executed, and not left to be diſcharged with the privity of conſcience alone. *Tertul. de pæ.*

perpiſcuity to terme this later alwayes the Vertue, that former the Diſcipline of repentance: Which Diſcipline hath two ſorts of Penitents to work upon, in as much as it hath been accuſtomed to lay the offices of repentance on ſome, ſeeking others, ſhunning them, on ſome at their own voluntary requeſt, on others altogether againſt their wills, as ſhall hereafter appeare by ſtore of ancient examples. Repentance being therefore either in the ſight of God alone, or elſe with the notice alſo of men: Without the one, ſometime throughly performed, but alwayes practiſed more or leſſe, in our daily devotions and prayers, we have no remedy for any fault: Whereas the other is only required in ſinnes of a certain degree and quality; the one neceſſary for ever, the other ſo farre forth as the Lawes and Orders of God's Church ſhall make it requiſite; the nature, parts and effects of the one alwayes the ſame; the other limited, extended, varied by infinite occaſions.

The Vertue of repentance in the heart of man is God's handy work, a fruit or effect of Divine grace, which grace continually offereth it ſelfe, even unto them that have forſaken it, as may appeare by the words of Chriſt in S. *Iohn's* Revelation, *I ſtand at the door and knock:* Nor doth he only knock without, but alſo within aſſiſt to open, whereby acceſſe and entrance is given to the heavenly preſence, of that ſaving power, which maketh man a repaired Temple for God s good Spirit again to inhabite. And albeit the whole traine of vertues which are implied in the name of grace be infuſed at one inſtant; yet becauſe when

when they meet and concurre unto any effect in man, they have their diſtinct operations riſing orderly one from another; it is no unneceſſary thing that we note the way or method of the holy Ghoſt, in framing man's ſinfull heart to repentance: A work, the firſt foundation whereof is laid by opening and illuminating the eye of faith, becauſe by faith are diſcovered the principles of this action, whereunto unleſſe the underſtanding doe firſt aſſent, there can follow in the will towards penitency no inclination at all: Contrariwiſe the reſurrection of the dead, the judgement of the world to come, and the endleſſe miſery of ſinners being apprehended, this worketh feare, ſuch as theirs was, who feeling their own diſtreſſe and perplexity in that paſſion, beſought our Lords Apoſtles earneſtly to give them counſell what they ſhould doe. For feare is impotent and unable to adviſe it ſelfe; yet this good it hath, that men are thereby made deſirous to prevent, if poſſibly they may, whatſoever evill they dread: The firſt thing that wrought the *Ninivites* repentance, was feare of deſtruction within fourty dayes; ſigns and miraculous works of God, being extraordinary repreſentations of Divine power, are commonly wont to ſtirre any the moſt wicked with terrour, leſt the ſame power ſhould bend it ſelfe againſt them: And becauſe tractable minds, though guilty of much ſinne, are hereby moved to forſake thoſe evill wayes, which make his power in ſuch ſort their aſtoniſhment and feare; therefore our Saviour denounced his curſe againſt *Corahzin* and *Bethſaida*, ſaying, that if *Tyre* and *Sydon* had ſeen that which they did, thoſe ſigns which pre-

vailed little with the one, would have brought the others repentance. As the like thereunto did in the men given to curious Arts, of whom the Apoſtolike Hiſtory ſaith, That *Feare came upon them, and many which had followed vaine ſciences, burnt openly the very books out of which they had learned the ſame*; As feare of contumely and diſgrace amongſt men, together with other civill puniſhments, are a bridle to reſtraine from any hainous acts, whereinto mens outrage would otherwiſe break; ſo the feare of Divine revenge and puniſhment where it taketh place, doth make men deſirous to be rid likewiſe from that inward guiltineſſe of ſinne, wherein they would elſe ſecurely continue. Howbeit, when Faith hath wrought a feare of the event of ſinne, yet repentance hereupon enſueth not, unleſſe our beliefe conceive both the poſſibility and meanes to avert evill: the poſſibility in as much as God is mercifull, and moſt willing to have ſinne cured; the meanes, becauſe he hath plainly taught what is requiſite, and ſhall ſuffice unto that purpoſe. The nature of all wicked men, is, for fear of revenge to hate whom they moſt wrong; the nature of hatred, to wiſh that deſtroyed which it cannot brook; and from hence ariſeth the furious endeavours of godleſſe and obdurate ſinners, to extinguiſh in themſelves the opinion of God becauſe they would not have him to be, whom execution of endleſſe wo doth not ſuffer them to love.

Every ſinne againſt God abateth, and continuance in ſinne extinguiſheth our love towards him: It was therefore ſaid to the Angel of *Epheſus* having ſinned, *Thou art fallen away from thy firſt love*; ſo that, as we never

never decay in love till we ſinne, in like ſort neither can we poſſibly forſake ſinne, unleſſe we firſt begin againe to love. What is love towards God, but a deſire of union with God? And ſhall we imagine a ſinner converting himſelfe to God, in whom there is no deſire of union with God preſuppoſed? I therefore conclude, that feare worketh no mans inclination to repentance, till ſomewhat elſe have wrought in us love alſo: Our love and deſire of union with God ariſeth from the ſtrong conceit which we have of his admirable goodneſſe: The goodneſſe of God which particularly moveth unto repentance, is his mercy towards mankind, notwithſtanding ſinne: For let it once ſink deeply into the minde of man, that howſoever we have injuried God, his very nature is averſe from revenge, except unto ſinne we adde obſtinacy; otherwiſe alwayes ready to accept our ſubmiſſion, as a full diſcharge or recompence for all wrongs; and can we choſe but begin to love him whom we have offended, or can we but begin to grieve that we have offended him whom we love? Repentance conſidereth ſinne as a breach of the Law of God, an act obnoxious to that revenge, which notwithſtanding may be prevented, if we pacifie God in time.

The root and beginning of penitency therefore, is the conſideration of our own ſinne, as a cauſe which hath procured the wrath, and a ſubject which doth need the mercy of God: For unto mans underſtanding, there being preſented on the one ſide, tribulation and anguiſh upon every ſoule that doth evill: on the other, eternall life unto them which by conti-

nuance in well doing, seek glory, and honour and immortality; on the one hand, a curse to the children of disobedience; on the other, to lovers of righteousnesse, all grace and benediction; yet between these extreams, that eternall God from whose unspotted justice and undeserved mercy, the lot of each inheritance proceedeth, is so inclinable, rather to shew compassion then to take revenge, that all his speeches in holy Scripture are almost nothing else but entreaties of men to prevent destruction by amendment of their wicked lives; all the works of his providence little other then meere allurements of the just to continue stedfast, and of the unrighteous to change their course; all his dealings and proceedings towards true Converts, as have even filled the grave Writings of holy men, with these and the like most sweet sentences: Repentance (if I may so speak) stoppeth God in his way, when being provoked by crimes past, he commeth to revenge them with most just punishments; yea, it tyeth as it were the hands of the avenger, and doth not suffer him to have his will: Againe,

*The mercicull eye of God towards men, hath no power to withstand penitencie, at what time soever it comes in presence: And againe,

God doth not take it so in evill part, though we wound that which he hath required us to keep whole, as that after we have taken hurt, there should be in us no desire to receive his help. Finally, least I be carried too farre in so large a Sea, There was never any man condemned of God but for neglect; nor justified, except he had care of repentance.

Cassia Col. 20. c. 4

* *Basil. Epist. Seleuc. p. 106.* φιλάνθρωπον βλέμμα προσίουσαν αἰδεῖται μετάνοιαν. *Chry. in 1 Cor. hom. 8.* οὐ τὸ τρωθῆναι οὕτω δεινὸν, ὡς τὸ τρωθέντα μὴ βούλεσθαι θέρα πεύεσθαι. *Marc. Erem.* οὐδεὶς κατεκρίθη εἰ μὴ μετανοίας κατεφρόνησε, καὶ οὐδεὶς ἐδικαιώθη εἰ μὴ ταυτῆς ἐπιμελῆ.

From

From theſe conſiderations, ſetting before our eyes our inexcuſable, both unthankfulneſſe in diſobeying ſo mercifull, fooliſhneſſe in provoking ſo powerfull a God; there ariſeth neceſſarily a penſive and corroſive deſire, that we had done otherwiſe; a deſire which ſuffereth us to forſlow no time, to feele no quietneſſe within our ſelves, to take neither ſleep nor food with contentment, never to give over ſupplications, confeſſions, and other penitent duties, till the light of God's reconciled favour, ſhine in our darkned ſoule.

Fulgentius asking the queſtion, why *David*'s confeſſion ſhould be held for effectuall penitence and not *Sauls*; anſwereth, that the one hated ſinne, the other feared only puniſhment in this world: *Saul*'s acknowledgement of ſinne was feare, *David*'s both feare and alſo love. *Fulg. de remi. peccat lib. 2. cap. 15.*

This was the fountaine of *Peter*'s teares, this the life and ſpirit of *David*'s eloquence, in thoſe moſt admirable Hymnes intitled *Penitentiall*, where the words of ſorrow for ſin, doe melt the very bowels of God remitting it, and the comforts of grace in remitting ſinne, carry him which ſorrowed, rapt as it were into heaven with extacies of joy and gladneſſe. The firſt motive of the *Ninivites* unto repentance was their beliefe in a ſermon of feare, but the next and moſt immediate, an axiome of love: *Who can tell whether God will turn away his fierce wrath, that we periſh not:* No concluſion ſuch as theirs, let every man turn from his evill way, but out of premiſſes ſuch as theirs were, fear and love: Wherefore the well-ſpring of repentance is faith, firſt breeding fear, and then *Ioan. c. 3. 9.*

love, which love cauſeth hope, hope reſolution of attempt, *I will goe to my Father, and ſay, I have ſinned againſt heaven and againſt thee*; that is to ſay, I will doe what the duty of a Convert requireth.

Now in a Penitent's or Convert's duty, there are included; firſt, the averſion of the will from ſinne; ſecondly, the ſubmiſſion of our ſelves to God, by ſupplication and prayer; thirdly, the purpoſe of a new life, teſtified with preſent works of amendment: Which three things doe very well ſeeme to be compriſed in one definition, by them which handle repentance, as a vertue that hateth, bewaileth, and ſheweth a purpoſe to amend ſin: We offend God in thought, word, and deed. To the firſt of which three, they make contrition; to the ſecond, confeſſion; and to the laſt, our works of ſatisfaction, anſwerable.

Contrition doth not here import theſe ſudden pangs and convulſions of the minde, which cauſe ſometimes the moſt forſaken of God, to retract their own doings; it is no naturall paſſion or anguiſh, which riſeth in us againſt our wills, but a deliberate averſion of the will of man from ſinne, which being alwayes accompanied with griefe, and grief oftentimes partly with tears, partly with other externall ſignes; it hath beene thought, that in theſe things, contrition doth chiefly conſiſt: whereas the chiefeſt thing in contrition, is that alteration whereby the will which was before delighted with ſin, doth now abhor and ſhun nothing more. But for as much as we cannot hate ſin in our ſelves without heavineſſe and grief, that there ſhould be in us a thing of ſuch hateſull quality, the will averted from ſin muſt needs make

make the affection ſutable; yea, great reaſon why it ſhould ſo doe: For ſince the will by conceiving ſin hath deprived the ſoule of life; and of life there is no recovery without repentance the death of ſin; repentance not able to kill ſinne, but by withdrawing the will from it, the will unpoſſible to be withdrawn, unleſſe it concurre with a contrary affection to that which accompanied it before in evill: Is it not cleare, that as an inordinate delight did firſt begin ſinne, ſo repentance muſt begin with a juſt ſorrow, a ſorrow of heart, and ſuch a ſorrow as renteth the heart; neither a feigned nor ſlight ſorrow; not feigned, leſt it encreaſe ſin; nor ſlight, leſt the pleaſures of ſinne over-match it.

Wherefore of Grace, the higheſt cauſe from which mans penitency doth proceed, of faith, feare, love, hope, what force and efficiency they have in repentance: of parts and duties thereunto belonging, comprehended in the School-mens definitions; finally, of the firſt among thoſe duties, Contrition which diſliketh and bewaileth iniquity, let this ſuffice.

And becauſe God will have offences by repentance, not only abhorred within our ſelves, but alſo with humble ſupplication diſplayed before him, and a teſtimony of amendment to be given, even by preſent works, worthy repentance, in that they are contrary to thoſe we renounce and diſclaime: Although the vertue of Repentance doe require, that her other two parts, Confeſſion and Satisfaction ſhould here follow; yet ſeeing they belong as well to the Diſcipline as to the vertue of repentance, and only differ for

for that in the one they are performed to man; in the other to God alone; I had rather distinguish them in joynt handling, then handle them apart, because in quality and manner of practise, they are distinct.

Of the Discipline of Repentance instituted by Christ, practised by the Fathers, converted by the School-men into a Sacrament; and of Confession, that which belongeth to the vertue of Repentance, that which was used among the Iewes, that which the Papacy imagineth a Sacrament, and that which Ancient Discipline practized.

Matt. 16. 19. 1. OUr Lord and Saviour in the 16th of S. *Matthews* Gospel, giveth his Apostles regiment in generall over God's Church. For they that have the Keyes of the Kingdome of Heaven, are thereby signified to be Stewards of the House of God under whom they guide, command, judge, and correct his Familie. The souls of men are God's treasure, committed to the trust and fidelity of such, as must render a strict account for the very least which is under their custody. God hath not invested them with power to make a revenue thereof; but to use it for the good of them whom Jesus Christ hath most dearly bought.

And because their Office therein consisteth of sundry functions, some belonging to Doctrine, some to Discipline, all contained in the name of the Keyes

Keyes, they have for matters of Diſcipline, as well litigious as criminall, their Courts and Conſiſtories erected by the heavenly Authority of his moſt ſacred voyce, who hath ſaid, *Dic Eccleſiæ*, Tell the Church, *Mat.* 18. 17. againſt rebellious and contumacious perſons, which refuſe to obey their ſentence; armed they are with power to eject ſuch out of the Church, to deprive them of the honours, rights, and priviledges of Chriſtian men, to make them as Heathens and Publicans, with whom ſociety was hateſull.

Furthermore, leſt their acts ſhould be ſlenderly accounted of, or had in contempt, whether they admit to the Fellowſhip of Saints, or ſeclude from it, whether they binde Offenders, or ſet them againe at liberty, whether they remit, or retain ſins, whatſoever is done by way of orderly and lawfull proceeding, the Lord himſelfe hath promiſed to ratifie. This *Mat.* 18. 18. *Io.* 20. 23. is that grand Originall Warrant, by force whereof the Guids and Prelates in God's Church, firſt his *1 Cor.* 5. 3. Apoſtles, and afterwards others following them ſucceſſively, did both uſe and uphold that Diſcipline, *2 Cor.* 2. 6. *1 Tim.* 1. 20. the end whereof is to heal mens conſciences, to cure their ſinnes, to reclaime Offenders from inquity, and to make them by repentance juſt.

Neither hath it of Ancient time, for any other reſpect been accuſtomed to bind by Eccleſiaſticall Cenſures, to retaine ſo bound, till tokens of manifeſt repentance appeared, and upon apparent repentance to releaſe, ſaving only becauſe this was received as a moſt expedient method for the cure of ſinne.

The courſe of Diſcipline in former Ages re-

formed open Transgressors, by putting them unto Offices of open penitence; especially Confession, whereby they declared their own crimes in the hearing of the whole Church, and were not from the time of their first convention capable of the holy Mysteries of Christ, till they had solemnly discharged this duty.

Offenders in secret knowing themselves altogther as unworthy to be admitted to the Lord's Table, as the other which were with-held, being also perswaded that if the Church did direct them in the offices of their penitency, and assist them with publike prayer, they should more easily obtaine that they sought, then by trusting wholy to their own endeavours; finally, having no impediment to stay them from it but bashfulnesse, which contervailed not the former inducements; and besides, was greatly eased by the good construction, which the charity of those times gave to such actions, wherein mens piety and voluntary care to be reconciled to God, did purchase then much more love, then their faults (the testimonies of common frailty) were able to procure disgrace, they made it not nice to use some one of the Ministers of God, by whom the rest might take notice of their faults, prescribe them convenient remedies, and in the end after publike Confession, all joyn in prayer unto God for them.

The first beginner of this custome, had the more Followers by meanes of that speciall favour which alwayes was with good consideration shewed towards voluntary penitents above the rest.

But as Professors of Christian beliefe grew more

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in number, ſo they waxed worſe, when Kings and Princes had ſubmitted their Dominions unto the Scepter of Jeſus Chriſt, by meanes whereof Perſecution ceaſing, the Church immediately became ſubject to thoſe evils which peace and ſecurity bringeth forth; there was not now that love which before kept all things in tune, but everywhere Schiſmes, Diſcords, Diſſentions amongſt men, Conventicles of Hereticks, bent more vehemently againſt the founder and better ſort then very Infidels and Heathens themſelves; faults not corrected in charity, but noted with delight, and kept for malice, to uſe when the deadlieſt opportunities ſhould bee offered.

Whereupon, for as much as publike Confeſſions became dangerous and prejudiciall to the ſafety of well minded men, and in divers reſpects advantagious to the enemies of God's Church; it ſeemed firſt unto ſome, and afterwards generally requiſite, that Voluntary Penitents ſhould ſurceaſe from open Confeſſion.

In ſtead whereof, when once private and ſecret Confeſſion had taken place with the *Latins*, It continued as a profitable Ordinance, till the *Lateran* Councell had Decreed, that all men once in a yeare at the leaſt, ſhould confeſſe themſelves to the Prieſt.

So that being a thing thus made both generall and alſo neceſſary, the next degree of eſtimation whereunto it grew, was to be honoured and lifted up to the nature of a Sacrament, that as Chriſt did inſtitute baptiſm to give life, and the Euchariſt to nouriſh life, ſo Penitence might be thought a Sa-

crament, ordained to recover life, and Confeſſion a part of the Sacrament.

They define therefore their private Penitency, to be a Sacrament of remitting ſinnes after Baptiſme: The vertue of Repentance, a deteſtation of wickedneſſe, with full purpoſe to amend the ſame, and with hope to obtaine pardon at God's hands.

Scotus in 4. ſent. d. 14. q. 1. art. 1.

Id. ead. diſt. q. 2. art. 1.

Whereſoever the Prophets cry *Repent*, and in the Goſpel S. *Peter* maketh the ſame Exhortation to the Jewes, as yet unbaptized, they will have the vertue of Repentance only to be underſtood. The Sacrament, where he adviſeth *Simon Magus* to repent, becauſe the ſinne of *Simon Magus*, was after Baptiſme.

Now although they have only externall Repentance for a Sacrament, internall for a Vertue; yet make they Sacramentall Repentance neverthleſſe to be compoſed of three parts, Contrition, Confeſſion, and Satisfaction; which is abſurd; becauſe Contrition being an inward thing, belongeth to the Vertue, and not to the Sacrament of Repentance, which muſt conſiſt of externall parts, if the nature thereof be externall. Beſides, which is more abſurd, they leave out Abſolution, whereas ſome of their School Divines, handling Penance in the nature of a Sacrament, and being not able to eſpie the leaſt reſemblance of a Sacrament, ſave only in Abſolution (for a Sacrament by their doctrine muſt both ſignifie and alſo conferre, or beſtow ſome ſpeciall Divine Grace) reſolved themſelves, that the duties of the Penitent could be but meer preparations to the Sacrament, and that the Sacrament it ſelfe was wholly

Sect ſent. l. 4. d. 14. q. 4.

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in Abſolution. And albeit *Thomas* with his Followers have thought it ſafer, to maintaine as well the ſervices of the Penitent, as the words of the Miniſter, neceſſary unto the eſſence of their Sacrament; the ſervices of the Penitent, as a cauſe materiall; the words of Abſolution, as a formall; for that by them all things elſe are perfected to the taking away of ſin: which opinion, now raigneth in all their Schools, ſince the time that the Councell of *Trent* gave it ſolemn approbation, ſeeing they all make Abſolution, if not the whole eſſence, yet the very form whereunto they aſcribe chiefly the whole force and operation of their Sacrament; ſurely, to admit the matter as a part, and not to admit the form, hath ſmall congruity with reaſon.

Sess. 14. c. 3. Docet Sancta Synodus Sacramenti pœnitentiæ formam in qua præcipue ipſius vis ſita eſt, in illis Miniſtri verbis poſitam eſſe, Ego te abſolvo. Sunt autem quaſi materia hujus Sacramenti ipſius pœnitentis actus, nempe Contritio, Confeſſio, & Satisfactio.

Againe, for as much as a Sacrament is compleat, having the matter and forme which it ought, what ſhould lead them to ſet down any other parts of Sacramentall repentance, then Confeſſion and Abſolution, as *Durandus* hath done?

For touching Satisfaction, the end thereof, as they underſtand it, is a further matter, which reſteth after the Sacrament adminiſtred, and therefore can be no part of the Sacrament.

Will they draw in Contrition with Satisfaction, which are no parts, and exclude Abſolution (a principall part,) yea, the very complement, form and perfection of the reſt as themſelves account it? But for their breach of precepts in art, it skilleth not, if their Doctrine otherwiſe concerning Penitency, and in Penitenty touching Confeſſion might be found true.

We say, Let no man look for pardon, which doth smother and conceal sinne, where in duty it should be revealed.

The cause why God requireth Confession to be made to him, is that thereby testifying a deep hatred of own iniquity, the only cause of his hatred and wrath towards us, we might because we are humble, be so much the more capable of that compassion and tender mercy, which knoweth not how to condemn sinners that condemn themselves.

Luk. 7. 47. If it be our Saviours own principle, that the conceit we have of our debt forgiven, proportioneth our thankfulnesse and love to him, at whose hands we receive pardon; doth not God fore-see, that they which with ill advised modesty seek to hide their sin like *Adam*, that they which rake it up under ashes, and confesse it not, are very unlikely to requite with offices of love afterwards, the grace which they shew themselves unwilling to prize at the very time when they sue for it, in as much as their not confessing what crimes they have committed, is a plaine signification how loth they are that the benefit of God's most gracious pardon should seeme great. Nothing more true, then that of *Tertullian*, *Confession doth as much abate the weight of mens offences, as concealment doth make them heavier.* For he which confesseth, hath a purpose to appease God; hee, a determination to persist and continue obstinate, which keeps them secret to himselfe. S. *Chrysostome* almost in the same words, *Wickednesse is by being acknowledged, lessened, and doth but grow by being hid.* If men having done amisse, let it slip, as though they

Tantum relevat Confessio delictorum quantum dissimulatio exaggerat. Confessio autem satisfactionis consilium est, dissimulatio contumaciæ, Tert. de pen.

Chry. hom. 30. in Epist. ad Heb.

they knew no such matter, what is there to stay them from falling into one and the same evill? To call our selves sinners availeth nothing, except we lay our faults in the ballance, and take the weight of them one by one. Confesse thy crimes to God, disclose thy transgressions before thy Judge, by way of humble supplication and suit, if not with tongue, at the least with heart, and in this sort seek mercy. A generall perswasion that thou art a sinner, will neither so humble, nor briddle thy soule, as if the Catalogue of thy sinnes examined severally, be continually kept in minde. This shall make thee lowly in thine owne eyes, this shall preserve thy feet from falling, and sharpen thy desires towards all good things. The minde I know doth hardly admit such unpleasant remembrances but we must force it, we must constraine it thereunto. It is safer now to be bitten with the memory, then hereafter with the torment of sinne.

The Jewes with whom no repentance for sinne is available without Confession, either conceived in mind or uttered; which latter kinde they call usually ודרי Confession delivered by word of mouth, had first that generall Confession which once every year was made, both severally by each of the people for himselfe, upon the day of expiation, and by the Priest for them all. On the day of expiation, the high Priest maketh three expresse Confessions, aknowledging unto God the manifold transgressions of the whole Nation, his own personall offences likewise, together with the sinnes, as well of his Family, as of the rest of his ranke and order.

Levit. 16. [illegible]

All *Israel* is bound on the day of expiation to repent and confesse, *R. Mos. in lib. Mitsivoth haggadol. par. 2. pra. 16.*

They

They had againe their voluntary Confeſſions, at the times and ſeaſons, when men bethinking themſelves of their wicked converſation paſt, were reſolved to change their courſe, the beginning of which alteration was ſtill Confeſſion of ſinnes.

Thirdly, over and beſides theſe, the Law impoſed upon them alſo that ſpeciall Confeſſion, which they in their book call ודרי על עוך כויהחד.

Confeſſion of that particular fault, for which we namely ſeek pardon at God's hands. The words of the Law concerning Confeſſion in this kinde are as followeth: When a man or woman ſhall commit any ſin, that men commit, and tranſgreſſe againſt the Lord, their ſinne which they have done (that is to ſay, the very deed it ſelfe in particular) they ſhall acknowledge. In *Leviticus* after certaine tranſgreſſions there mentioned, we reade the like: When a man hath ſinned in any one of theſe things, he ſhall then confeſſe, how in that thing he hath offended. For ſuch kinde of ſpeciall ſinnes, they had alſo ſpeciall Sacrifices, wherein the manner was that the Offender ſhould lay his hands on the head of the Sacrifice which he brought, and ſhould there make Confeſſion to God, ſaying, *Now O Lord, that I have offended, committed ſinne, and done wickedly in thy ſight, this or this being my fault, behold, I repent me, and am utterly aſhamed of my doings; my purpoſe is never to return more to the ſame crime.*

Num. 5. 6.

Lev. 5. 5.

Miſne Tora Tractatu Teſhuba, cap. 1. & R. Mi. in lib. Miſnoth, par. 2. cap. 16.

None of them, whom either the houſe of judgement hath condemned to die, or of them which are to be puniſhed with ſtripes, can be cleare by being executed or ſcourged, till they repent & confeſſe their faults.

Moſ. in Miſnoth. par. 2. pr. 16.

Finally,

Finally, there was no man amongſt them at any time, either condemned to ſuffer death, or corrected, or chaſtized with ſtripes, none ever ſick and near his end, but they called upon him to repent and confeſſe his ſinnes.

To him which is ſick, and draweth towards death, they lay confeſſe. *Idem.*

Of Malefactors convict by witneſſes, and thereupon either adjudged to die, or otherwiſe chaſtized, their cuſtome was to exact, as *Ioſhua* did of *Achan*, open confeſſion, *My ſon, now give glory to the Lord God of Iſrael, confeſſe unto him, and declare unto me what thou haſt committed, conceale it not from me*, Joſ. 7.19.

Concerning injuries and treſpaſſes which happen between men, they highly commend ſuch as will acknowledge before many.

It is in him which repenteth, accepted as an high Sacrifice, if he will confeſſe before many, make them acquainted with his over-ſights, and reveale the tranſgreſſions which have paſſed between him and any of his brethren; ſaying, I have verily offended this man, thus and thus I have done unto him, but behold I doe now repent and am ſorry. Contrariwiſe, whoſoever is proud and will not be known of his faults, but cloaketh them, is not yet come to perfect repentance; for ſo it is written, *He that hides his ſins ſhall not proſper*, which words of *Salomon* they doe not further extend, then only to ſinnes committed againſt men, which are in that reſpect meet before men to be acknowledged particularly. But in ſinnes between man and God, there is no neceſſity that man ſhould himſelfe make any ſuch open and particular recitall of them; to God they are known, and of us it is required, that we eaſt not the memory of them

careleſly and looſly behinde our backs, but keep in minde as near as we can, both our own debt, and his grace which remitteth the ſame.

Wherefore to let paſſe Jewiſh confeſſion, and to come unto them which hold Confeſſion in the eare of the Prieſt commanded; yea, commanded in the nature of a Sacrament, and thereby ſo neceſſary, that ſinne without it cannot be pardoned, let them finde ſuch a Commandment in holy Scripture, and we ask no more. *Iohn* the *Baptiſt* was an extraordinary perſon, his birth, his actions of life, his Office extraordinary. It is therefore recorded for the ſtrangneſſe of the act, but not ſet down as an everlaſting Law for the World; *That to him Ieruſalem and all Iudea made confeſſion of their ſinnes*: Beſides, at the time of this confeſſion, their pretended ſacrament of repentance, as they grant, was not yet inſtituted, neither was it ſinne after Baptiſm, which Penitents did there confeſſe; When that which befell the ſeven ſonnes of *Sceva*, for uſing the name of our Lord Jeſus Chriſt in their conjurations, was notified to Jews and Grecians in *Epheſus*, it brought an univerſall feare upon them, in ſo much that divers of them which had believed before, but not obeyed the Laws of Chriſt, as they ſhould have done, being terrified by this example, came to the Apoſtle, and confeſſed their wicked deeds. Which good and vertuous act, no wiſe man, as I ſuppoſe will diſallow, but commend highly in them, whom God's good Spirit ſhall move to doe the like when need requireth.

Mat. 3. 6.

Act. 19. 18.

Yet neither hath this example the force of any generall commandement, or law to make it neceſſary for

for every man, to poure into the eares of the Prieſt whatſoever hath been done amiſſe, or elſe to remaine everlaſtingly culpable and guilty of ſin; in a word, it proveth confeſſion practized as a vertuous act, but not commanded as a Sacrament.

Now concerning S. *Iames* his Exhortation, whether the former branch be conſidered, which ſaith, *Is any ſick among you? let him call for the Ancients of the Church, and let them make their prayers for him*; or the latter, which ſtirreth up all Chriſtian men unto mutuall acknowledgement of faults amongſt themſelves; *Lay open your minds, make your confeſſions one to another*; is it not plain, that the one hath relation to that gift of healing, which our Saviour promiſed his Church, ſaying, *They ſhall lay their hands on the ſick, and the ſick ſhall recover health?* relation to that gift of healing, whereby the Apoſtle impoſed his hands on the Father of *Publius*, and made him miraculouſly a ſound man; relation finally to that gift of healing, which ſo long continued in practize after the Apoſtles times, that whereas the *Novatianiſts* denyed the power of the Church of God, in curing ſinne after Baptiſm, S. *Ambroſe* asked them againe, *Why it might not as well prevail with God for ſpirituall, as for corporall and bodily health*; *yea, wherefore* (ſaith he) *do ye your ſelves lay hands on the diſeaſed and believe it to be a work of benediction or prayer, if haply the ſick preſon be reſtored to his former ſafety?* And of the other member which toucheth mutuall confeſſion, doe not ſome of themſelves, as namely, *Cajetan* deny, that any other Confeſſion is meant, then only that, *which ſeeketh either aſſociation of prayers, or reconciliation, or*

Iam. 5. 15.

Mar. 16. 18.

Act. 28. 8.

Amb. de par. l. 1. c. 7.

pardon of wrongs? Is it not confeſſed by the greateſt part of their own retinue, that we cannot certainly affirm ſacramentall confeſſion to have been meant or ſpoken of in this place? Howbeit *Bellarmaine* delighted to runne a courſe by himſelfe where colourable ſhifts of wit will but make the way paſſible, ſtandeth as formally for this place, and not leſſe for that in S. *Iohn*, then for this. S. *Iohn* ſaith, *If we confeſſe our ſinnes, God is faithfull and juſt to forgive our ſinnes, and to cleanſe us from all unrighteouſneſſe*; doth S. *Iohn* ſay, If we confeſſe to the Prieſt, God is righteous to forgive, and if not, That our ſins are unpardonable? No, but the titles of God *juſt* and *righteous* doe import, that he pardoneth ſin only for his promiſe ſake; *And there is not* (they ſay) *any promiſe of forgiveneſſe upon confeſſion made to God without the Prieſt*; Not any promiſe, but with this condition, and yet this condition nowhere expreſt.

Annot Rhem. in Iac. 5.

1 Iohn 1.9.

Is it not ſtrange that the Scripture ſpeaking ſo much of repentance, and of the ſeverall duties which appertaine thereunto, ſhould ever meane, and no where mention that one condition, without which all the reſt is utterly of none effect; or will they ſay, becauſe our Saviour hath ſaid to his Miniſters, *whoſe ſins ye retain &c.* and becauſe they can remit no more, then what the offenders have confeſt, that therefore by vertue of his promiſe, it ſtandeth with the righteouſneſſe of God, to take away no mans ſinnes, untill by auricular confeſſion they be opened unto the Prieſt?

They are men that would ſeeme to honour Antiquity, and none more to depend upon the reverend judgement

judgement thereof. I dare boldly affirm, that for many hundred years after Chriſt, the Fathers held no ſuch opinion; they did not gather by our Saviour words, any ſuch neceſſity of ſeeking the Prieſts Abſolution from ſinne, by ſecret and (as they now term it) ſacramentall confeſſion: Publike confeſſion they thought neceſſary by way of Diſcipline, not private confeſſion, as in the nature of a Sacrament, neceſſary.

For to begin with the pureſt times, it is unto them which read and judge without partiality a thing moſt clear, that the ancient ἐξομολόγησις or confeſſion, defined by *Tertullian* to be a Diſcipline of humiliation, and ſubmiſſion, framing mens behaviour in ſuch ſort as may be fitteſt to move pitty, the confeſſion which they uſe to ſpeak of in the exerciſe of repentance, was made openly in the hearing of the whole both Eccleſiaſticall Conſiſtory and Aſſembly.

This is the reaſon wherefore he perceiving, that divers were better content their ſoares ſhould ſecretly feſter, and eat inward, then be laid ſo open to the eyes of many, blameth greatly their unwiſe baſhfulneſſe, and to reform the ſame, perſwadeth with them ſaying, *Amongſt thy brethren and fellow ſervants, which are partakers with thee of one and the ſame nature, feare, joy, griefe, ſuffrings (for of one common Lord and Father, we have all received one ſpirit) why ſhouldeſt thou not think with thy ſelfe, that they are but thine own ſelfe? wherefore doſt thou avoyd them, as likely to inſult over thee, whom thou knoweſt ſubject to the ſame haps? At that which grieveth any one part, the whole body cannot rejoyce, it muſt needs be that the whole will labor, and*

Pleroſq; hoc opus ut publicationem ſui aut ſuffugere, aut de die in diem differre, præſumo pudoris magis memores quam ſalutis, velut illi qui in partibus verecundioribus corporis contracta vexatione conſcientiæ medentium vitant, & ita cum erubeſcentia ſua perunt. Tert. e

and ſtrive to help that wherewith a part of it ſelfe is moleſted.

St *Cyprian* being grieved with the dealings of them, who in time of perſecution had through feare betrayed their faith, and notwithſtanding thought by ſhift to avoid in that caſe the neceſſary Diſcipline of the Church, wrote for their better inſtruction, the book intituled *De lapſis*; a Treatiſe concerning ſuch, as had openly forſaken their Religion, and yet were loth openly to confeſſe their fault, in ſuch manner as they ſhould have done: In which book he compareth with this ſort of men, certain others which had but a purpoſe only to have departed from the Faith; and yet could not quiet their minds, till this very ſecret and hidden fault was confeſt, *How much both greater in faith* (ſaith St *Cyprian*) *and alſo as touching their, feare, better, are thoſe men who although neither ſacrifice, nor libell could be objected againſt them, yet becauſe they thought to have done that which they ſhould not, even this their intent they dolefully open unto God's Prieſts? they confeſſe that whereof their conſcience accuſeth them, the burthen that preſſeth their minds they diſcover, they foreſlow not of ſmaller and ſlighter evils, to ſeek remedy:* He ſaith they declared their fault, not to one onely man in private, but revealed it to God's Prieſts, they confeſt it before the whole Conſiſtory of Gods Miniſters.

Qui neceſſitatem ſacrificandi pecunia apud Magiſtratum redimebant acceptæ ſecuritatis Syngrapha t bellatici dicebantur.

Salvianus (for I willingly embrace their conjecture, who aſcribe thoſe Homiles to him which have hitherto by common error paſt under the counterfeit name of *Euſebius Emeſenus*,) I ſay, *Salvianus*, though comming long after *Cyprian* in time, giveth

giveth neverthelesse the same evidence for this truth, in a case very little different from that before alleadged; his words are these, *whereas (most dearely beloved) we see that pennance oftentimes is sought and sued for by holy soules, which even from their youth have bequeathed themselves a precious treasure unto God, let us know that the inspiration of God's good Spirit moveth them so to doe for the benefit of his Church, and let such as are wounded, learn to enquire for that remedy, whereunto the very soundest doe thus offer and obtrude as it were themselves, that if the vertuous doe bewaile small offences, the others cease not to lament great.* And surely, when a man that hath lesse need, performeth *sub oculis Ecclesiæ*, in the view, sight, and beholding of the whole Church, an office worthy of his faith and compunction for sinne, the good which others thereby reap is his own harvest, the heap of his rewards groweth by that which another gaineth, and through a kinde of spirituall usury from that amendment of life which others learn by him, there returneth lucre into his coffers. The same *Salvianus* in another of his Homilies, *If faults haply be not great and grievous (for example, if a man have offended in word, or in desire, worthy of reproof, if in the wantonnes of his eye, or the vanity of his heart) the staines of words and thoughts are by daily prayer to be cleansed, and by private compunction to be scoured out: But if any man examining inwardly his own conscience, have committed some high and capitall offence, as if by bearing false witnesse, he have quelled and betrayed his faith, and by rashnesse of perjury have violated the sacred name of truth, if with the mire of lustfull uncleannesse he have sullied the vaile of Baptism,*

Hom. 1. de initio quadragesimæ.

Hom. 10. Ad Monachos.

and

and the gorgeous robe of Virginity, if by being the cause of any mans death, he have been the death of the new man within himself, if by conference with South-sayers, Wisards and Charmers, he hath enthralled himself to Satan, These and such like committed crimes, cannot throughly be taken away with ordinary, moderate, and secret satisfaction, but greater causes doe require greater and sharper remedies, they need such remedies as are not only sharp, but solemn, open and publike. Again, *Let that soule* (saith he) *answer me, which through pernicious shamefastnesse is now so abasht to acknowledge his sin in* conspectu fratrum, *before his brethren, as he should have been before abasht to commit the same, what he will doe in the presence of that Divine Tribunall where he is to stand arraigned in the Assembly of a glorious and celestiall host?* I will hereunto adde but St *Ambrose*'s testimony: For the places which I might alledge, are more then the cause it selfe, needeth; *There are many* (saith he) *who fearing the judgement that is to come, and feeling inward remorse of conscience, when they have offered themselves unto penitency are enjoyned what they shall do, give back for the only skarre which they think that publike supplication will put them unto.* He speaketh of them which sought voluntarily to be penanced, and yet withdrew themselves from open confession, which they that were penitents for publike crimes could not possibly have done, and therefore it cannot be said he meaneth any other then secret sinners in that place. *Gennadius* a Presbyter of *Marsiles* in his book touching Ecclesiasticall assertions, maketh but two kinds of confession necessary, the one in private to God alone for smaller offences, the other open

Graviores & acriores, & publicas culpas requirunt.

Hom. 8. ad Monach.

Lib. 2. de pœn. cap. 9.

open, when crimes committed are hainous and great, *Although* (ſaith he) *a man be bitten with conſcience of ſinne, let his will be from thence forward to ſinne no more; let him before he communicate, ſatisfie with teares and prayers, and then putting his truſt in the mercy of Almighty God* (*whoſe wont, is, to yeeld to godly confeſſions*) *let him boldly receive the Sacrament. But I ſpeak this of ſuch as have not burthened themſelves with capitall ſinnes: Then I exhort to ſatisfie, firſt by publike penance, that ſo being reconciled by the ſentence of the Prieſt, they may communicate ſafely with others.* Thus ſtill we heare of publike confeſſions, although the crimes themſelves diſcovered were not publike; we heare that the cauſe of ſuch confeſſions was not the openneſſe, but the greatneſſe of mens offences; finally, we heare that the ſame being now held by the Church of *Rome* to be Sacramentall, were the only penitentiall confeſſions uſed in the Church for a long time, and eſteemed as neceſſary remedies againſt ſinne.

They which will finde Auricular confeſſions in St *Cyprian*, therefore muſt ſeek out ſome other paſſage, then that which *Bellarmine* alleadgeth, *Whereas in ſmaller faults which are not committed againſt the Lord himſelfe, there is a competent time aſſigned unto penitency, and that confeſſion is made, after that obſervation and tryall had been had of the Penitent's behaviour, neither may any communicate till the Biſhop and Clergy have laid their hands upon him; how much more ought all things to be warily, and ſtayedly obſerved according to the Diſcipline of the Lord, in theſe moſt grievous and extream crimes?* S. *Cyprians* ſpeeeh is

Cypr. Epiſt. 12.

Inſpectâ vitâ ejus qui agit pœnitentiam.

againſt raſhneſſe in admitting Idolators to the holy Communion, before they had ſhewed ſufficient repentance, conſidering that other offenders were forced to ſtay out their time, and that they made not their publike confeſſion, which was the laſt act of penitency, till their life and converſation had been ſeen into, not with the eye of auricular ſcrutiny, but of paſtorall obſervation, according to that in the Councell of *Nice*, where thirteen years, being ſet for the penitency of certaine offenders, the ſeverity of this Decree is mitigated with ſpeciall caution: *That in all ſuch caſes, the minde of the penitent and the manner of his repentance is to be noted, that as many as with feare and teares, and meekneſſe, and the exerciſe of good works, declared themſelves to be Converts indeed, and not in outward appearance only, towards them the Biſhop at his diſcretion might uſe more lenity.* If the Councell of *Nice* ſuffice not, let *Gratian* the founder of the Canon Law expound *Cyprian*, who ſheweth that the ſtint of time in penitency, is either to be abridged or enlarged, as the Penitent's faith and behaviour ſhall give occaſion; *I have eaſilier found out men* (ſaith S. *Ambroſe*) *able to keep themſelves free from crimes, then conformable to the rules which in penitency they ſhould obſerve.* S. *Gregory* Biſhop of *Nice* complaineth and enveigheth bitterly againſt them, who in the time of their penitency, lived even as they had done alwayes before; *Their countenance as chearfull, their attire as neat, their diet as coſtly, and their ſleep as ſecure as ever, their worldly buſineſſe purpoſely followed, to exile penſive thoughts from their minds, repentance pretended, but indeed nothing leſſe expreſt;*

Con. Nic. par. 2. c. 12.

Pro fide & converſatione Pœnitentium.

De pœn. diſt. 1. cap. Menſuram. Ambroſ. de pœn. lib. 1. c. 10.

Greg. Niſſ. orat. In eos qui alios aſcribe judicant.

expreſt: Theſe were the inſpections of life whereunto S. *Cyprian* alludeth; as for Auricular Examinations he knew them not.

Were the Fathers then without uſe of private confeſſion as long as publike was in uſe? I affirm no ſuch thing. The firſt and ancienteſt that mentioneth this Confeſſion, is *Origen*, by whom it may ſeem that men being loth to preſent raſhly themſelves & their faults unto the view of the whole Church, thought it beſt to unfold firſt their minds to ſome one ſpeciall man of the Clergy, which might either help them himſelfe, or referre them to an higher Court if need were; *Be therefore circumſpect* (ſaith *Origen*) *in making choice of the party, to whom thou meaneſt to confeſſe thy ſinne; know thy Phyſitian before thou uſe him; If he finde thy malady ſuch as needeth to be made publike, that other may be the better by it, and thy ſelfe ſooner helpt, his counſell muſt be obeyed.* That which moved ſinners thus voluntarily to detect themſelves both in private and in publike, was feare to receive with other Chriſtian men the myſteries of heavenly grace, till God's appointed Stewards and Miniſters did judge them worthy: It is in this reſpect that S. *Ambroſe* findeth fault with certaine men which ſought impoſition of penance, and were not willing to wait their time, but would be preſently admitted Communicants. *Such people* (ſaith he) *doe ſeek by ſo raſh and prepoſterous deſires, rather to bring the Prieſt into bonds then to looſe themſelves*: In this reſpect it is that S. *Auguſtine* hath likewiſe ſaid, *When the wound of ſinne is ſo wide, and the diſeaſe ſo farre gone that the medicinable body and bloud of our Lord may not be touched, men are by the*

Orig. in Pſa. 37.

Amb. l. 2. de pœn. c. 9.

Si non tam ſe ſolvere cupiunt quam Sacerdotem ligare.

Aug. in hom. de pœn.

Bishops authority to sequester themselves from the Altar, till such time as they have repented, and be after reconciled by the same authority. Furthermore, because the knowledge how to handle our own soares, is no vulgar and common art, but we either carry towards our selves for the most part an over-soft and gentle hand, fearefull of touching too near the quick, or else endeavouring not to be partiall, we fall into timorous scrupulosities, and sometime into those extream discomforts of minde, from which we hardly doe ever lift up our heads againe, men thought it the safest way to disclose their secret faults, and to crave imposition of penance from them whom our Lord Jesus Christ hath left in his Church to be spirituall and ghostly Physitians, the guides and Pastors of redeemed souls, whose office doth not only consist in generall perswasions unto amendment of life, but also in the private particular cure of diseased minds.

Hom. de pœn. Niniv.

Howsoever the *Novatianists* presume to plead against the Church (saith *Salvianus*) *that every man ought to be his own penitentiary, and that it is a part of our duty to exercise, but not of the Churche's Authority to impose or prescribe repentance*; the truth is otherwise, the best and strongest of us may need in such cases direction: *What doth the Church in giving penance, but shew the remedies which sinne requireth? or what doe we in receiving the same but fulfill her precepts? what else but sue unto God with teares, and fasts, that his mercifull eares may be opened?* S. *Augustine's* exhortation is directly to the same purpose; *Let every man whilest he hath time judge himselfe, and change his*

Aug. hom. de pœn. citatur à Grat. dist. 1. c. Iudicio.

life

life of his own accord, and when this is resolved, Let him from the disposers of the holy Sacraments, learn in what manner he is to pacifie God's displeasure: But the greatest thing which made men forward and willing upon their knees to confesse whatsoever they had committed against God, and in no wise to be withheld from the same, with any feare of disgrace contempt, or obloquie, which might ensue, was their fervent desire to be helped and assisted with the prayers of God's Saints. Wherein as S. *Iames* doth exhort unto mutuall confession, alleadging this only for a reason, *that just men's devout prayers are of great avail with God*; so it hath been heretofore the use of Penitents for that intent to unburthen their minds, even to privats persons, and to crave their prayers. Whereunto *Cassianus* alluding, counselleth, That *if men possest with dulnesse of spirit be themselves unapt to doe that which is required, they should in meek affection seek health at the least by good and vertuous mens prayers unto God for them.* And to the same effect *Gregory* Bishop of *Nisse*, *Humble thy self, and take unto thee such of thy brethren as are of one mind, and doe beare kind affection towards thee, that they may together mourn and labour for thy deliverance. Shew me thy bitter and abundant tears, that I may blend mine own with them.*

A præpositis Sacramentorum accipiat satisfactionis suæ modum.

Iam. 5. 16.

Cassia. col. 20. c. 8.

Greg. Niss. Oratione in eos qui abos acerbe judicant.

But because of all men there is or should be none in that respect more fit for troubled and distressed minds to repaire unto then God's Ministers, he proceedeth further, *Make the Priest, as a Father partaker of thine affection and griefe, be bold to impart unto him the things that are most secret, he will have care both of thy safety, and of thy credit.*

Confeſsion (ſaith *Leo*) *is firſt to be offred to God, and then to the Prieſt, as to one which maketh ſupplication for the ſinnes of penitent offenders.* Suppoſe we, that men would ever have been eaſily drawn, much leſſe of their own accord have come unto publike confeſſion, whereby they know they ſhould ſound the trumpet of their own diſgrace, would they willingly have done this, which naturally all men are loth to doe, but for the ſingular truſt and confidence which they had in the publike prayers of God's Church? *Let thy mother the Church weep for thee* (ſaith *Ambroſe*) *let her waſh and bathe thy faults with her teares: Our Lord doth love that many ſhould become ſuppliant for one;* In like ſort long before him, *Tertullian*, *Some few aſſembled make a Church, and the Church is as Chriſt himſelf; when thou doſt therefore put forth thy hands to the knees of thy brethren, thou toucheſt Chriſt; it is Chriſt unto whom thou art a ſupplicant; ſo when they poure out teares over them, it is even Chriſt that taketh compaſsion; Chriſt which prayeth when they pray: Neither can that eaſily be denyed, for which the Son is himſelfe contented to become a ſuitor.*

Leo 1. Ep. 78. ad Epiſc. Campan. citat. a Grat. de pœn. d. 1. c. confiſ.

Ambr. l. 2. de pœn. c. 10.

Tertull. de pœn.

Whereas in theſe conſiderations therefore, voluntary Penitents had been long accuſtomed for great and grievous crimes, though ſecret, yet openly both to repent and confeſſe as the Canons of Ancient Diſcipline required, the Greek Church firſt, and in proceſſe of time the Latin altred this order, judging it ſufficient and more convenient that ſuch offenders ſhould doe penance and make confeſſion in private only. The cauſe why the Latins, did *Leo* declareth, ſaying: *Although that ripeneſſe of faith be*

Leo 1. Ep. 78.

com-

commendable, which for the feare of God doth not feare to incurre ſhame before all men, yet becauſe every one's crimes are not ſuch, that it can be free and ſafe for them to make publication of all things, wherein repentance is neceſſary, let a cuſtome ſo unfit to be kept, be abrogated, leaſt many forbeare to uſe remedies of penitency, whileſt they either bluſh or are afraid to acquaint their enemies with thoſe acts for which the Lawes may take hold upon them. Beſides, it ſhall win the more repentance, if the conſciences of ſinners be not emptied into the peoples eares; And to this only cauſe doth *Sozomen* impute the change, which the *Grecians* made, by ordaining throughout all Churches certaine *Penitentiaries* to take the Confeſſions, and appoint the penances of ſecret offenders. *Socrates* (for this alſo may be true that more inducements then one, did ſet forward an alteration ſo generally made) affirmeth the *Grecians* (and not unlikely) to have ſpecially reſpected therein the occaſion, which the *Novatianiſts* took at the multitude of publike Penitents, to inſult over the Diſcipline of the Church, againſt which they ſtill cryed out, whereſoever they had time and place, *He that ſheweth ſinners favour, doth but teach the innocent to ſinne:* And therefore they themſelves admitted no man to their communion upon any repentance, which once was known to have offended after baptiſm, making ſinners thereby not the fewer, but the cloſer, and the more obdurate, how faire ſoever their pretence might ſeem.

The *Grecians* Canon for ſome one Presbyter in every Church to undertake the charge of penitency, and to receive their voluntary confeſſions, which had ſinned

ſinned after Baptiſm, continued in force for the ſpace of above ſome hundred years, till *Nectarius*, and the Biſhops of Churches under him begun a ſecond alteration, aboliſhing even that confeſſion which their *Penitentiaries* took in private. There came to the *Penitentiary* of the Church of *Conſtantinople*, a certain Gentlewoman, and to him ſhe made particular confeſſion of her faults committed after Baptiſm, whom thereupon hee adviſed to continue in faſting and prayer, that as with tongue ſhe had acknowledged her ſinnes, ſo there might appear likewiſe in her ſome work worthy of repentance: But the Gentlewoman goeth forward, and detecteth her ſelfe of a crime, whereby they were forced to diſ-robe an Eccleſiaſticall perſon, that is to degrade a Deacon of the ſame Church. When the matter by this mean came to publike notice, the people were in a kinde of tumult offended, not only at that which was done, but much more, becauſe the Church ſhould thereby endure open infamy and ſcorn. The Clergy perplexed and altogether doubtfull what way to take till one *Eudemon* born in *Alexandria*, but at that time a Prieſt in the Church of *Conſtantinople*, conſidering that the cauſes of voluntary confeſſion whether publike or private, was eſpecially to ſeek the Churches aide, as hath been before declared, leſt men ſhould either not communicate with others, or wittingly hazard their ſoules, if ſo be they did communicate, and that the inconvenience which grew to the whole Church was otherwiſe exceeding great, but eſpecially grievous by meanes of ſo manifold offenſive detections, which muſt needs be continually more,

as

as the world did it ſelfe wax continually worſe, for Antiquity together with the gravity and ſeverity thereof (ſaith *Sozomen*) had already begun by little and little to degenerate into looſe and careleſſe living, whereas before offences were leſſe, partly through baſhfulneſſe in them which open their own faults, and partly by meanes of their great auſterity, which thought as judges in this buſineſſe; theſe things *Eudæmon* having weighed with himſelfe reſolved eaſily the minde of *Nectarius*, that the *Penitentiaries* office muſt be taken away, and for participation in God's holy myſteries every man be left to his own conſcience, which was as he thought, the only mean to free the Church from danger of obloquie and diſgrace. *Thus much* (ſaith *Socrates*) *I am the bolder to relate, becauſe I received it from* Eudæmons *own mouth, to whom mine anſwer was at that time; whether your counſel Sir have been for the Churches good, or otherwiſe, God knoweth: But I ſee, you have given occaſion whereby we ſhall not now any more reprehend one another's faults, nor obſerve that Apoſtolike precept, which ſath, Have no Fellowſhip with the unfruitfull works of darkneſſe, but rather be yee alſo reprovers of them.* With *Socrates*, *Sozomon* both agreeth in the occaſion of aboliſhing *Penitentiaries*; and moreover teſtifyeth alſo, that in his time living with the younger *Theodoſius*, the ſame abolition did ſtill continue, and that the Biſhops had in a manner everywhere followed the example given them by *Nectarius*.

Wherefore to implead the truth of this Hiſtory, Cardinall *Baronius* alleadgeth that *Socra-*

tes, *Sozomen* and *Eudæmon* were all *Novatianists*, and that they falsify in saying, (for so they report) that as many as held the Consubstantiall being of Christ, gave their assent to the abrogation of the forehearsed Canon. The summe is, he would have it taken for a fable, and the world to be perswaded that *Nectarius* did never any such thing. Why then should *Socrates* first and afterwards *Sozomen* publish it? To please their pew fellows the disciples of *Novatian*. A poor gratification, and they very silly friends, that would take lyes for good turns. For the more acceptable the matter was, being deemed true, the lesse they must needs (when they found the contrary) either credit, or affect him which had deceived them. Notwithstanding we know that joy and gladnesse rising from false information, doe not only make men so forward to believe that which they first hear, but also apt to scholie upon it and to report as true whatsoever they wish were true. But so farre is *Socrates* from any such purpose, that the fact of *Nectarius* which others did both like and follow, he doth disallow and reprove. His speech to *Eudæmon* before set down, is proof sufficient that he writeth nothing, but what was famously known to all, and what himselfe did wish had been otherwise. As for *Sozomen*'s correspondency with Hereticks, having shewed

Tenta hæc Socrati testanti præstanda est fides quamvis cæteris hæreticis de suis dogmatibus tractantibus; quippe Novatianus scisma cum fecerit, quam vere ac syncere hæc scripserit adversus pœnitentiam in Ecclesia administratam, quemlibet credo posse facile judicare, Bar. t. 1. ann. Chr. 56.

Sozomenum eandem prorsus causam fuisse certum est. Nec Eudæmonem illum alium quàm Novatianæ sectæ hominem fuisse credendum est. Ibid.

Sacerdos ille meritò à Nectario est gradu amotus officio deposito, quo facto Novatiani (ut mos est hæreticorum) quamvis licet levem ut syncera dogmatibus detrahant accipere ausi occasionem, non tantum Presbyterum Pœnitentiarium in ordinem redactum, sed & pœnitentiam ipsam unam cum eo fuisse proscriptam calumniosè admodum conclamarunt, cum tamen illa potius Theatralis fieri interdum solita peccatorum fuerit abrogata. Ibid.

ſhewed to what end the Church did firſt ordaine *Penitentaries*, he addeth immediately that *Novatianiſts*, which had no care of repentance, could have no need of this office. Are theſe the words of a friend or enemy? Beſides, in the entrance of that whole narration: *Not to ſinne* (ſaith he) *at all would require a nature more divine then ours is; But God hath commanded to pardon ſinners; yea, although they tranſgreſſe and offend often.* Could there bee any thing ſpoken more directly oppoſite to the Doctrine of *Novatian*? *Eudæmon* was Presbyter under *Nectarius*.

To *Novatianiſts* the Emperour gave liberty of uſing their Religion quietly by themſelves, under a Biſhop of their own, even within the City, for that they ſtood with the Church in defence of the Catholick faith againſt all other Hereticks beſides. Had therefore *Eudæmon* favoured their hereſy, their Camps were not pitched ſo farre of, but he might at all times have found eaſie acceſſe unto them. Is there any man that lived with him and hath touched him that way? if not, why ſuſpect we him more then *Nectarius*? Their report touching Grecian Catholick Biſhops, who gave approbation to that which was done, and did alſo the like themſelves in their own Churches, we have no reaſon to diſcredit without ſome manifeſt and cleare evidence brought againſt it. For of Catholick Biſhops, no likelihood but that their greateſt reſpect to *Nectarius*, a man honoured in thoſe parts no leſſe then the Biſhop of *Rome* himſelfe in the Weſtern Churches, brought them both eaſily and ſpeedily unto conformity with him: *Arrians*, *Eunomians*, *Apollinarians*, and the reſt that

ſtood divided from the Church, held their *Penitentiaries* as before. *Novatianiſts* from the beginning had never any, becauſe their opinion touching penitency was againſt the practize of the Church therein, and a cauſe why they ſevered themſelves from the Church; ſo that the very ſtate of things as they then ſtood, giveth great ſhew of probability to his ſpeech, who hath affirmed, that *they only which held the ſonne conſubſtantiall with the Father, and Novatianiſts which joyned with them in the ſame opinion, had no Penitentiaries in their Churches, the reſt retained them.* By this it appeareth therefore how *Baronius* finding the relation plain, that *Nectarius* did aboliſh even thoſe private ſecret confeſſions which the people had been before accuſtomed to make to him, that was *Penitentiary*, laboureth what he may to diſcredit the Authors of the report, and to leave it impainted in mens minds, that whereas *Nectarius* did but abrogate publike confeſſion, *Novatianiſts* have malicioufly forged the abolition of private, as if the odds between theſe two were ſo great in the ballance of their judgement, which equally hated and contemned both; or, as if it were not more clear then light that the firſt alteration which eſtabliſhed *Penitentiaries*, took away the burthen of publike confeſſion in that kinde of penitents, and therefore the ſecond muſt either abrogate private, or nothing.

Cardinall *Bellarmine* therefore finding that againſt the Writers of the Hiſtory, it is but in vaine to ſtand upon ſo doubtfull terms, and exceptions, endeavoureth mightly to prove even by their report, no other confeſſion taken away then publike which *Penitentiaries*,

ries used in private to impose upon publike offenders; *For why? It is* (saith he) *very certaine that the name of Penitents in the Fathers writings signifieth only publike penitents; certain, that to heare the confessions of the rest was more then one could possibly have done; certaine, that* Sozomen, *to shew how the Latin Church retained in his time what the Greek had clean cast of, declareth the whole order of publike penitency used in the Church of Rome, but of private he maketh no mention.* And in these considerations *Bellarmine* will have it the meaning both of *Socrates* and *Sozomen*, that the former Episcopall constitution, which first did erect *Penitentiaries*, could not concern any other offenders, then such as publikely had sinned after Baptisme. That only they, were prohibited to come to the holy Communion, except they did first in secret confesse all their sinnes to the *Penitentiarie*, by his appointment openly acknowledge their open crimes and doe publike penance for them: that whereas before *Novatians* uprising, no man was constrainable to confesse publikely any sinne, this Canon enforced publike offenders thereunto, till such time as *Nectarius* thought good to extinguish the practice thereof.

Let us examine therefore these subtile and fine conjectures, whether they be able to hold the touch, *It seemed good* (saith *Socrates*) *to put down the Office of these Priests which had charge of Penitency; what charge that was, the kinds of penitency then usuall must make manifest.* There is often speech in the Fathers Writings, in their Books frequent mention of Penitency, exercised within the chambers of our heart and seen of God, and not communicated to any other,

Τὺς δὲ τὴν μετανόιας περιελεῖν πρεσβυτέρους.

the whole charge of which penitency is imposed of God, and doth rest upon the sinner himselfe. But if Penitents in secret being guilty of crimes whereby they knew they had made themselves unfit guests for the Table of our Lord, did seek direction for their better performance of that which should set them cleare; it was in this case the *Penitentiaries* office to take their confessions, to advise them the best way he could for their souls good, to admonish them, to counsell them, but not to lay upon them more then private penance. As for notorious wicked persons, whose crimes were known, to convict, judge and punish them, was the office of the Ecclesiasticall Consistory; *Penitentiaries* had their Institution to another end: But unlesse we imagine that the ancient time knew no other repentance then publick, or that they had little occasion to speak of any other repentance, or else that in speaking thereof they used continually some other name, and not the name of repentance, whereby to expresse private penitency, how standeth it with reason that whensoever they write of Penitents, it should be thought they meant only publick Penitents? The truth is, they handle all three kinds, but private and voluntary repentance much oftner, as being of farre more generall use, whereas publike was but incident unto few, and not ofter then once incident unto any. Howbeit, because they doe not distinguish one kind of penitency from another by difference of names, our safest way for construction, is to follow circumstance of matter, which in this Narration will not yeeld it selfe applyable only unto publike penance; doe what they

they can, that would ſo expound it.

They boldly and confidently affirm that no man being compellable to confeſſe publikely any ſinne, before *Novatians* time, the end of inſtituting *Penitentiaries* afterward in the Church, was that by them, men might be conſtrained unto publick confeſſion. Is there any record in the world which doth teſtifie this to be true? There is that teſtifyeth the plaine contrary. For *Sozomen* declaring purpoſely the cauſe of their Inſtitution, ſaith, *that whereas men openly craving pardon at God's hands (for publick confeſsion the laſt act of Penitency was alwayes made in the forme of a contrite prayer unto God,) it could not be avoyded but they muſt withall confeſſe what their offences were*; This in the opinion of their Prelate ſeemed, from the firſt beginning (as we may probably think) to be ſomewhat burthenſome, that men whoſe crimes were unknown, ſhould blaze their own faults, as it were on the Stage, acquainting all the people with whatſoever they had done amiſſe. And therefore to remedy this inconvenience, they laid the charge upon one only Prieſt, choſen out of ſuch as were of beſt converſation, a ſilent and a diſcreet man, to whom they which had offended, might reſort and lay open their lives. He according to the quality of every ones tranſgreſſions, appointed what they ſhould doe or ſuffer, and left them to execute it upon themſelves. Can we wiſh a more direct and evident teſtimony, that the office here ſpoken of, was to eaſe voluntary penitents from the burthen of publike confeſſions, and not to conſtraine notorious offenders thereunto? That ſuch offenders were not compella-

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ble to open confeſſions till *Novatians* time, that is to ſay, till after the dayes of perſecution under *Decius* the Emperour, they of all men ſhould not ſo peremptorily avouch; which whom, if *Fabian* Biſhop of *Rome*, who ſuffered Martyrdome the firſt yeare of *Decius*, be of any authority and credit, it muſt enforce them to reverſe their ſentence, his words are ſo plaine and clear againſt them. *For ſuch as commit thoſe crimes, whereof the Apoſtle hath ſaid, They that doe them ſhall never inherite the Kingdome of heaven, muſt* (ſaith he) *be forced unto amendment, becauſe they ſlip down to hell, if Eccleſiaſticall Authority ſtay them not.* Their conceit of impoſſibility, that one man ſhould ſuffice to take the generall charge of penitency in ſuch a Church as *Conſtantinople*, hath riſen from a meer erroneous ſuppoſall, that the Ancient manner of private confeſſion was like the ſhrift at this day uſuall in the Church of *Rome*, which tyeth all men at one certain time to make confeſſion, whereas confeſſion was then neither looked for till men did offer it, nor offered for the moſt part by any other, then ſuch as were guilty of hainous tranſgreſſions, nor to them any time appointed for that purpoſe. Finally, the drift which *Sozomen* had in relating the Diſcipline of *Rome*, and the forme of publike penitency there retained even till his time, is not to ſignify that only publike confeſſion was abrogated by *Nectarius*, but that the Weſt or Latin Church held ſtill one and the ſame order from the very beginning, and had not, as the Greek, firſt cut of publike voluntary confeſſion, by ordaining, and then private by removing *Penitentiaries*. Wherefore to conclude, it ſtandeth

Pub. Decret. Ep. 2. Tom. 1. Conc. p. 318.

I hope very plain and clear, first against the one Cardinall, that *Nectarius* did truly abrogate confession in such sort as the Ecclesiasticall History hath reported; and secondly, as clear against them both, that it was not publike confession only which *Nectarius* did abolish.

The paradox in maintenance whereof *Hessels* wrote purposely a book touching this Argument to shew that *Nectarius* did but put the *Penitentiary* from his office, and not take away the office it selfe, is repugnant to the whole advice which *Eudæmon* gave, of leaving the people from that time forward to their own consciences, repugnant to the conference between *Socrates* and *Eudæmon*, wherein complaint is made of some inconvenience which the want of the office would breed; finally, repugnant to that which the History declareth concerning other Churches which did as *Nectarius* had done before them, not in deposing the same man (for that was impossible) but in removing the same office out of their Churches, which *Nectarius* had banished from his. For which cause *Bellarm.* doth well reject the opinion of *Hessels*, howsoever it please *Pamelius* to admire it as a wonderfull happy invention. But in sum, they are all gravelled, no one of them able to goe smoothly away and to satisfie either others, or himselfe, with his own conceit concerning *Nectarius*.

Nec est quod sibi blandiantur illi de facto Nectarii cùm id potius secretorũ peccatorum confessionem comprobet, & non aliud quam Presbyterum pœnitentialem illo officio suo moverit, uti amplissimè deducit D. Ides Hasselius Pamel. in Cypr. lib. de antiqu. 98. & in lib. Tertul. de pœnitentia.

Onely in this they are stiffe, that Auricular confession *Nectarius* did not abrogate, least if so much should be acknowledged, it might enforce them to grant that the Greek Church at that time held not confession, as the Latin now doth, to be the part of a Sacrament instituted by our Saviour Jesus Christ,

which therefore the Church till the worlds end hath no power to alter. Yet seeing that as long as publike voluntary confession of private crimes did continue in either Church (as in the one it remained not much above 200 years, in the other about 400) the only acts of such repentance were; first, the offenders intimation of those crimes to some one Presbyter, for which imposition of penance was sought; secondly, the undertaking of penance imposed by the Bishop; thirdly, after the same performed and ended, open confession to God in the hearing of the whole Church; whereupon fourthly, ensued the prayer of the Church; fifthly, then the Bishops imposition of hands; and so sixthly, the parties reconciliation or restitution to his former right in the holy Sacrament. I would gladly know of them which make only private confession a part of their Sacrament of penance, how it could be so in those times: For where the Sacrament of penance is ministred, they hold that confession to be Sacramentall which he receiveth who must absolve; whereas during the fore-rehearsed manner of penance, it can nowhere be shewed, that the Priest to whom secret information was given, did reconcile, or absolve any: for, how could he, when publike confession was to goe before reconciliation, and reconciliation likewise in publike thereupon to ensue? so that if they did account any confession Sacramentall, it was surely publike, which is now abolisht in the Church of *Rome*; and as for that which the Church of *Rome* doth so esteem, the Ancient neither had it in such estimation, nor thought it to be of so absolute neceffity for the taking away of sinne: But (for any thing that I could ever observe

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out of them) although not onely in crimes open and notorious, which made men unworthy and uncapable of holy myſteries, their Diſcipline required, firſt publike penance, and then granted that which S. *Hierom* mentioneth, ſaying, *The Prieſt layeth his hand upon the penitent, and by invocation intreateth that the holy Ghoſt may return to him again, and ſo after having enjoyned ſolemnly all the people to pray for him, reconcileth to the Altar him who was delivered to Satan for the deſtruction of his fleſh, that his ſpirit might be ſafe in the day of the Lord.* Although I ſay not only in ſuch offences being famouſly known to the world, but alſo if the ſame were committed ſecretly, it was the cuſtome of thoſe times, both that private intimation ſhould be given, and publike confeſſion made thereof, in which reſpect whereas all men did willingly the one, but would as willingly have withdrawn themſelves from the other, had they known how: *Is it tolerable,* (ſaith S. *Ambroſe*) *that to ſue to God thou ſhouldſt be aſhamed, which bluſheſt not to ſeek and ſue unto man? ſhould it grieve thee to be a ſuppliant to him from whom thou canſt not poſſible hide thy ſelfe, when to open thy ſins to him, from whom, if thou wouldſt, thou mighteſt conceal them, it doth not any thing at all trouble thee? This thou art loth to doe in the Church, where all being ſinners, nothing is more opprobrious indeed then concealment of ſinne, the moſt humble the beſt thought of, and the lowlieſt accounted the juſteſt.* All this notwithſtanding, wee ſhould doe them very great wrong, to father any ſuch opinion upon them, as if they did teach it a thing impoſſible for any ſinner to reconcile himſelf unto God, without confeſſion unto the Prieſt.

Sacerdos imponit manum ſubjecto, reditum ſpiritus ſancti invocat, atq; ita eum qui traditus fuerat Satanæ in interitum carnis, ut ſpiritus ſalvus fieret, indicta in populum oratione altari reconciliat. Hier. adverſ. Lucif.

Ambroſ. de pœn. l. 2. c. 10.

Chryst. hom. περὶ μετανοίας καὶ ἐξομολογήσεως παρὰ τοῖς λογισμοῖς γενέσθω τῶν πεπλημμελημένων ἡ γόμενον.

Would *Chrysostome* thus perswaded have said, *Let the enquiry and punishment of thy offences be made in thine own thoughts, let the Tribunall whereat thou arraignest thy selfe be without witnesse, Let God and only God see thee and thy confession.*

ἐξέτασις, ἀμάρτυρον ἔστω τὸ δικαστήριον, ὁ Θεὸς ὁράτω μόνος ἐξομολόγημενον.

Cassian. Collat. 20. c. 8.

Would *Cassianus* so beleeving have given counsell, *That if any were with-held with bashfulnesse from discovering their faults to men, they should be so much the more instant and constant in opening them by supplication to God himselfe, whose wont is to help without publication of men's shame, and not to upbraid them when he pardoneth?*

Prosper. de vita contempl lib. 2. c. 7.

Finally, would *Prosper* setled in this opinion have made it, as touching reconciliation to God, a matter indifferent, *whether men of Ecclesiasticall order did detect their crimes by confession, or leaving the world ignorant thereof, would separate voluntarily themselves for a time from the Altar, though not in affection, yet in execution of their Ministery, and so bewaile their corrupt life? Would he have willed them as he doth, to make bold of it, that the favour of God being either way recovered by fruits of forcible repentance, they should not only receive whatsoever they had lost by sinne, but also after this their new enfranchisement, aspire to the endlesse joyes of that supernall City?* To conclude, we everywhere finde the use of confession, especially publike, allowed of, and commended by the Fathers, but that extream and rigorous necessity of Auricular and private confession, which is at this day so mightily upheld by the Church of *Rome*, we finde not. First, it was not then the

the faith and Doctrine of God's Church, as of the Papacy at this preſent. Secondly, That the only remedy for ſinne after Baptiſm, is Sacramentall penitency. Thirdly, That confeſſion in ſecret is an eſſentiall part thereof. Fourthly, That God himſelfe cannot now forgive ſinne without the Prieſt. That becauſe forgiveneſſe at the hands of the Prieſt muſt ariſe from confeſſion in the offenders; therefore to confeſſe unto him, is a matter of ſuch neceſſity, as being not either in deed, or at the leaſt in deſire performed, excludeth utterly from all pardon, and muſt conſequently in Scripture be commanded, whereſoever any promiſe of forgiveneſſe is made. No, no; theſe opinions have youth in their countenance, Antiquity knew them not, it never thought nor dreamed of them.

But to let paſſe the Papacy. For as much as Repentance doth import alteration within the minde of a ſinfull man, whereby through the power of God's moſt gracious and bleſſed Spirit, he ſeeth, and with unfained ſorrow acknowledgeth former offences committed againſt God, hath them in utter deteſtation, ſeeketh pardon for them in ſuch ſort as a Chriſtian ſhould doe, and with a reſolute purpoſe ſetleth himſelfe to avoid them, leading as neare as God ſhall aſſiſt him for ever after an unſpotted life; and in the order (which Chriſtian Religion hath taught for procurement of God's mercy towards ſinners) confeſſion is acknowledged a principall duty; yea, in ſome caſes, confeſſion to man, not to God only; it is not in reformed Churches denied by the Learneder ſort of Divines, but that even

Calv. Inſtit. lib. 3. cap. 4. § 7.

even this confeſſion, cleared from all errours, is both lawfull and behoveſull for God's people.

Confeſſion by man being either private or publike, private confeſsion to the Miniſter alone touching ſecret crimes, or abſolution thereupon enſuing, as the one, ſo the other is neither practiſed by the French Diſcipline, nor uſed in any of thoſe Churches, which have bin caſt by the French mould. Open confeſſion to be made in the face of the whole Congregation by notorious malefactors, they hold neceſſary; howbeit not neceſſary towards the remiſſion of ſins: But only in ſome ſort to content the Church, and that one man's repentance may ſeeme to ſtrengthen many, which before have been weakned by one mans fall.

Sed tantum ut Eccleſiæ ſit aliqua ratione ſatisfactum, & omnes unius pœnitentia confirmentur, qui ſuerant unius peccatis & ſcandalis vulnerati. Sadeel. in Pſa. 32. v. 5.

Saxonians and *Bohemians* in their Diſcipline conſtraine no man to open confeſſion: Their Doctrine is, that whoſe faults have been publike and thereby ſcandalous unto the world, ſuch when God giveth them the ſpirit of repentance, ought as ſolemnly to return, as they have openly gone aſtray. Firſt, for the better teſtimony of their own unfained converſion unto God. Secondly, the more to notifie their reconcilement unto the Church: And laſtly, that others may make benefit of their example.

But concerning confeſſion in private, the Churches of *Germany*, as well the reſt, as *Lutherans* agree, that all men ſhould at certain times confeſſe their offences to God in the hearing of Gods Miniſters, thereby to ſhew how their ſinnes diſpleaſe them, to receive inſtruction for the warier carriage of themſelves hereafter, to be ſoundly reſolved, if any ſcruple or ſnare

Harm. Confeſſ. Sect. 8. ex 5. cap. confeſſ. Bohem.

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of conſcience doe entangle their minds, and which is moſt materiall, to the end that men may at God's hands ſeek every one his owne particular pardon, through the power of thoſe Keyes, which the Miniſter of God uſing according to our bleſſed Saviours Inſtitution in that caſe, it is their part to accept the benefit thereof as God's moſt merciſull Ordinance for their good, and without any diſtruſt or doubt, to embrace joyfully his grace ſo given them, according to the word of our Lord, which hath ſaid, *Whoſe ſinnes yee remit are remitted.* So that grounding upon this aſſured beliefe, they are to reſt with minds encouraged and perſwaded concerning the forgiveneſſe of all their ſinnes, as out of Chriſt's own word and power by the Miniſtery of the Keyes. *Cap. 1. Confeſſ. Bohem.*

It ſtandeth with us in the Church of *England*, as touching publike confeſſion thus:

Firſt, ſeeing day by day we in our Church begin our publike Prayers to Almighty God, with publike acknowledgement of our ſinnes, in which confeſſion every man proſtrate as it were before his glorious Majeſty, cryeth againſt himſelfe, and the Miniſter with one ſentence pronounceth univerſally all clear, whoſe acknowledgement ſo made hath proceeded from a true penitent minde; what reaſon is there, every man ſhould not under the generall termes of confeſſion repreſent to himſelf his own particulars whatſoever, and adjoyning thereunto that affection which a contrite ſpirit worketh, embrace to as full effect the words of Divine grace, as if the ſame were ſeverally and particulary uttered with addition of prayers, impoſition of hands, or all the ceremonies

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and ſolemnities that might be uſed for the ſtrengthning of mens affiance in God's peculiar mercy towards them? Such complements are helps to ſupport our weakneſſe, and not cauſes that ſerve to procure or produce his gifts. If with us there be truth in the inward parts, as *Davids* ſpeaketh, the difference of generall and particular Forms in confeſsion and abſolution is not ſo materiall, that any mans ſafety or ghoſtly good ſhould depend upon it. And for private confeſsion and abſolution, it ſtandeth thus with us.

The Miniſters power to abſolve is publikely taught and profeſſed, the Church not denyed to have authority either of abridging, or enlarging the uſe and exerciſe of that power; upon the people no ſuch neceſsity impoſed of opening their tranſgreſsions unto men, as if remiſsion of ſinnes otherwiſe were impoſſible, neither any ſuch opinion had of the thing it ſelf, as though it were either unlawfull or unprofitable, ſaving onely for theſe inconveniences, which the world hath by experience obſerved in it heretofore. And in regard thereof, the Church of *England* hitherto hath thought it the ſafer way to refer mens hidden crimes unto God and themſelves only; howbeit not without ſpeciall caution for the admonition of ſuch as come to the holy Sacrament, and for the comfort of ſuch as are ready to depart the world. Firſt, becauſe there are but few that conſider how much that part of Divine Service which conſiſts in partaking the holy Euchariſt doth import their ſouls, what they looſe by neglect thereof, and what by devout practiſe they might attaine unto, therefore leaſt careleſneſſe

As for private confeſſion, abuſes and errors ſet apart, we condemn it not, but leave it at liberty. *Iewel def. n. part.* 156.

careleſneſſe of generall confeſſion ſhould as commonly it doth extinguiſh all remorſe of mens particular enormous crimes. Our cuſtome (whenſoever men preſent themſelves at the Lords Table) is ſolemnly to give themſelves fearefull admonition, what woes are perpendicularly hanging over the heads of ſuch as dare adventure to put forth their unworthy hands to thoſe admirable myſteries of life, which have by rare examples been proved conduits of irremediable death to impenitent Receivers, whom therefore as we repell being known, ſo being not known we can but terrifie. Yet with us, the Miniſters of God's moſt holy Word and Sacraments, being all put in truſt with the cuſtody and diſpenſation of thoſe myſteries, wherein our Communion is and hath been ever accounted the higheſt grace that men on earth are admitted unto, have therefore all equally the ſame power to with-hold that ſacred myſticall food from notorious evill livers, from ſuch as have any way wronged their neighbours, and from parties between whom there doth open hatred and malice appeare, till the firſt ſort have reformed their wicked lives, the ſecond recompenſed them unto whom they were injurious, and the laſt condeſcended unto ſome courſe of Chriſtian reconciliation, whereupon their mutual accord may enſue. In which caſes for the firſt branch of wicked life, and the laſt which is open enmity, there can ariſe no great difficulty about the exerciſe of his power: In the ſecond, concerning wrongs, there may if men ſhall preſume to define or meaſure injuies, according to their own conceits depraved oftentimes, aſwell by error, as partiality, and

that no lesse in the Minister himselfe, then in any other of the people under him.

The knowledge therefore which hee taketh of wrongs must rise as it doth in the other two, not from his own opinion or conscience, but from the evidence of the fact which is committed; yea, from such evidence as neither doth admit deniall nor defence. For if the offender having either colour of Law to uphold, or any other pretence to excuse his own uncharitable and wrongfull dealings, shall wilfully stand in defence thereof, it serveth as a barre to the power of the Minister in this kind. Because (as it is observed by men of very good judgement in these affaires) although in this sort our separating of them be not to strike them with the mortall wound of Excommunication, but to stay them rather from running desperatly headlong into their own harm, yet it is not in us, to sever from the holy Communion, but such as are either found culpable by their own confession, or have been convicted in some publike, secular, Ecclesiasticall Court. For, who is he, that dares take upon him to bee any man's both accuser and judge? Evill persons are not rashly, and as we list to be thrust from Communion with the Church, insomuch that if we cannot proceed against them by any orderly course of judgement, they rather are to be suffered for the time then molested.

Nos à communione quemquam prohibere non possumus, quamvis haec prohibitio nondum sit mortalis, sed medicinalis, nisi aut sponte confessum aut aliquo sive seculari, sive Ecclesiastico judicio accusatum atq; convictum. Quis enim sibi unquam, audet assumere ut cuiquam ipse sit & accusator & judex?

Non enim temere & quodammodo libet, sed propter judicium ab Ecclesiæ communione separandi sunt mali, ut si propter judicium auferri non possint, tolerentur potius, velut palea cum tritico. Multi corriguntur, ut Petrus; multi tolerantur, ut Judas; multi nesciuntur, donec veniat Dominus, & illuminabit abscondita tenebrarum. Rhenan. admonit. de dogmat. Tertul.

Many

Many there are reclamed, as *Peter*; many as *Iudas* known well enough, and yet tolerated; many which muſt remaine undeſcried till the day of his appearance, by whom the ſecret corners of drakneſſe ſhall be brought into open light.

Leaving therefore unto his judgement, them, whom we cannot ſtay from caſting their own ſoules into ſo great hazard, we have in the other part of penitentiall Juriſdiction in our power, and Authority to releaſe ſinne, joy on all ſides, without trouble or moleſtation unto any. And if to give, be a thing more bleſſed then to receive, are we not infinitely happier in being authorized to beſtow the Treaſure of God, then when neceſſity doth conſtraine to with-draw the ſame.

They which daring life and health are never deſtitute of wayes to delude repentance, doe notwithſtanding oftentimes when their laſt hour draweth on, both feel that ſting which before lay dead in them, and alſo thirſt after ſuch helps as have been alwayes till then unſavoury; S. *Ambroſe* words touching late repentance are ſomewhat hard, *If a man bee penitent and receive abſolution (which cannot in that caſe be denied him) even at the very point of death, and ſo depart, I dare not affirm he goeth out of the world well; I will counſell no man to truſt to this, becauſe I am loth to deceive any man, ſeing I know not what to think of it; ſhall I judge ſuch a one a caſt away? Neither I will avouch him ſafe: All I am able to ſay, is, Let his eſtate be left to the will and pleaſure of Almighty God: Wilt thou be therefore delivered of all doubt? Repent while yet thou art healthy and ſtrong: If thou deferre it till time give no* Lib. 3. de pæn.

longer possibility of sinning, thou canst not be thought to have left sinne, but rather sinne to have forsaken thee. Such admonitions may in their time and place be necessary, but in no wise prejudiciall to the generality of God's own high and heavenly promise, *Whensoever a sinner doth repent from the bottome of his heart, I will put out all his iniquity.* And of this, although it have pleased God not to leave to the world any multitude of examples, least the careless should too farre presume, yet one he hath given, and that most memorable to with-hold from dispaire in the mercies of God, at what instant soever mans unfained conversion bee wrought. Yea, because to contervaile the fault of delay, there are in the latest repentance oftentimes the surest tokens of sincere dealing; therefore upon speciall confession made to the Minister of God, he presently absolveth in this case the sick party from all sinnes by that Authority which Jesus Christ hath commited unto him, knowing that God respecteth not so much what time is spent, as what truth is shewed in repentance.

In summe, when the offence doth stand only between God & mans conscience, the Councell is good, which S. *Chrysostome* giveth, *I wish thee not to bewray thy selfe publikely, nor to accuse thy selfe before others. I wish thee to obey the Prophet who saith, Disclose thy way unto the Lord, confesse thy sins before him, Tell thy sins to him that he may blot them out. If thou be abashed to tell unto*

Non dico tibi, ut te prodas in publicum, neque ut te apud alios accuses, sed obedire te volo Prophetæ dicenti, Revela Domino viam tuam. Ante Deum confitere peccata tua; Peccata tua dicito ut ea deleat; Si confunderis alicui dicere quæ peccasti, dicito ea quotidie in anima: Non dico ut confitearis conservo qui exprobret; Deo dicito qui ea curat; Non necesse est præsentibus testibus confiteri, solus te Deus confitentem videat. Rogo & oro ut crebrius Deo immortali confiteamini, & enumeratis ve-

unto any other, wherein thou haſt offended, rehearſe them every day between thee and thy ſoule, I wiſh thee not to confeſſe them to thy fellow ſervant, who may upbraid thee with them; Tell them to God, who will cure them; There is no need for thee in the preſence of witneſſes to acknowledge them; Let God alone ſee thee at thy Confeſſion; I pray and beſeech you that you would more often then you doe, confeſſe to God eternall, and reckoning up your treſpaſſes, deſire his pardon: I cary you not into a Theatre or open Court of many your fellow ſervants, I ſeek not to detect your crimes before men; diſcloſe your conſcience before God, unfold your ſelves to him, Lay forth your wounds before him, the beſt Phyſitian that is, and deſire of him ſalve for them. If hereupon it follow, as it did with *David, I thought, I will confeſſe againſt my ſelfe my wickedneſſe unto thee O Lord, and thou forgaveſt me the plague of my ſinne*, we have our deſire, and there remanineth only thankfulneſſe accompanied with perpetuity of care to avoid that which being not avoided, we know we cannot remedy without new perplexity and griefe. Contrariwiſe, if peace with God doe not follow the paines we have taken in ſeeking after it, if we continue diſquieted, and not delivered from anguiſh, miſtruſting whether that we do be ſufficient, it argueth that our ſoare doth exceed the power of our own skill, and that the wiſedome of the Paſtor muſt binde up thoſe parts, which being bruiſed, are not able to be recured of themſelves.

ſtris delictis veniam petatis. Non te in Theatrum conſervorum duco, non hominibus peccata tua conor detegere. Repete coram Deo conſcientiam tuam, te explica, oſtende medico præſtantiſſimo vulnera tua, & pete ab eo medicamentum, *Chryſt. hom. 31. ad Hebr. & in Pſal. 59. Hom. de pœn. & confeſſ. & hom. 5. de incer. Dei natura, homil. itemque de Lazaro.*

Of Satisfaction.

THere resteth now Satisfaction only to be considered; a point which the Fathers doe often touch, albeit they never aspire to such mysteries as the Papacy hath found, enwrapped within the folds, and plaits thereof. And it is happy for the Church of God that we have the Writings of the Fathers, to shew what their meaning was. The name of Satisfaction, as the Ancient Fathers meant it, containeth whatsoever a Penitent should doe in the humbling himselfe unto God, and testifying by deeds of contrition, the same which confession in words pretendeth; *He which by repentance for sinnes* (saith *Tertullian* speaking of fickle minded men) *had a purpose to satisfie the Lord, will now by repenting his repentance make Satan satisfaction, and be so much more hatefull to God, as he is unto God's enemy more acceptable.* Is it not plain that satisfaction doth here include the whole work of penitency. and that God is satisfied, when men are restored through sinne into favour by repentance? *How canst thou* (saith *Chrysostome*) *move God to pitty thee, when thou wilt not seeme as much as to know that thou hast offended?* By appeasing, pacifying, and moving God to pitty, S. *Chrysostome* meaneth the very same with the Latin Fathers, when they speak of satisfying God. *We feele* (saith *Cyprian*,) *the bitter smart of this rod & scourge, because there is in us neither care to please him with our good deeds, nor to satisfie him for our evill.* Againe, *Let the eyes which have looked on Idols sponge out their unlawfull acts with those sorrowfull teares,*

Tertul. de pœnit.

Chry. in 1 Cor. hom. 8.

τὸν Θεὸν ἐξιλεώσασθαι.

Cypr. Ep. 8.

Cypr. Ep. 26.

teares, which have power to ſatisfie God. The Maſter of ſentences alleadgeth out of S. *Auguſtine*, that which is plaine enough to this purpoſe. *Three things there are in perfect penitency, Compunction, Confeſſion and Satisfaction; that as we three wayes offend God, namely in heart, word, and deed; ſo by three duties wee may ſatisfie God.* Sentent. l. 4. dist. 16.

Satisfaction, as a part, comprehendeth onely that which the Baptiſt meant by *worthy of repentance*; and if we ſpeak of the whole work of repentance it ſelf, we may in the phraſe of antiquity term it very well ſatisfaction.

Satisfaction is a work which Iuſtice requireth to be done for contentment of perſons injured: neither is it in the eye of Iuſtice a ſufficient ſatisfaction, unleſſe it fully equall the injury for which we ſatisfie. Seeing then that ſinne againſt God Eternall and Infinite, muſt needs be an infinite wrong: Iuſtice in regard thereof doth neceſſarily exact an infinite recompenſe, or elſe inflict upon the offendor infinite puniſhment. Now becauſe God was thus to be ſatisfied, and man not able to make ſatisfaction, in ſuch ſort his unſpeakable love and inclination to ſave mankind from eternall death ordained in our behalf a mediator to do that which had been for any other impoſſible: wherefore, all ſinne is remitted in the onely faith of Chriſts paſſion, and no man without beliefe thereof juſtified; *Bonavent. in ſentent. 4. diſt.* 15. 9. 9. Faith alone maketh Chriſts ſatisfaction ours, howbeit that faith alone which after ſinne maketh us by converſion his.

For in as much as God will have the benefit of Chriſts

Chriſt's ſatisfaction, both thankfully acknowledged and duly eſteemed, of all ſuch as enjoy the ſame, he therefore imparteth ſo high a treaſure unto no man whoſe faith hath not made him willing by repentance to doe even that which of it ſelfe, how unavailable ſoever, yet being required, and accepted with God, we are in Chriſt thereby made capable, and fit veſſels to receive the fruits of his ſatisfaction: yea, we ſo farre pleaſe and content God, that becauſe whē we have offended, he looketh but for repentance at our hands; our repentance and the works thereof are therefore termed ſatisfactory, not for that ſo much is thereby done as the juſtice of God can exact, but becauſe ſuch actions of griefe and humility in man after ſinne, are *ilices divinæ miſericordiæ* (as *Tertullian* ſpeaketh of them) they draw that pitty of Gods towards us, wherein he is for Chriſt's ſake contented upon our ſubmiſſion to pardon our rebellion againſt him; and when that little which his Law appointeth is faithfully executed, it pleaſeth him in tender compaſſion and mercy to require no more.

Repentance is a name which noteth the habite and operation of a certain grace, or vertue in us: ſatisfaction, the effect which it hath, either with God or man. And it is not in this reſpect ſaid amiſſe, that ſatisfaction importeth acceptation, reconciliation and amity; becauſe that through ſatisfaction on the one part made, and allowed on the other, they which before did reject are now content to receive, they to be wonne againe which were loſt, and they to love unto whom juſt cauſe of hatred was given. We ſatiſ-

fie

fie therefore in doing that which is sufficient to this effect, and they towards whom we doe it are satisfied, if they accept it as sufficient and require no more: Otherwise we satisfie not, although we doe satisfie: For so between man and man it oftentimes falleth out, but between man and God, never; It is therefore true that our Lord Jesus Christ by one most precious and propitiatory sacrifice, which was his body, a gift of infinite worth, offered for the sinnes of the whole world, hath thereby once reconciled us to God, purchased his generall free pardon, and turned away divine indignation from mankinde. But we are not for that cause to think, any office of penitence, either needlesse or fruitlesse, on our own behalfe. For then would not God require any such duties at our hands; Christ doth remaine everlastingly a gracious intercessour, even for every particular penitent. Let this assure us, that God how highly soever displeased and incensed with our sinnes, is notwithstanding for his sake by our teares pacified, taking that for satisfaction, which is due by us, because Christ hath by his satisfaction made it acceptable. For, as he is the high Priest of our salvation, so he hath made us Priests likewise under him, to the end we might offer unto God praise and thankfulnesse while we continue in the way of life, and when we sinne, the satisfactory or propitiatory sacrifice of a broken and a contrite heart. There is not any thing that we doe that could pacifie God, and cleare us in his sight from sinne, if the goodnesse, and mercy of our Lord Jesus Christ were not, whereas now beholding the poore offer of our reli-

Apoc. 1. 6.

Cass. 1. coll. 20. c. 8.

gious endeavours, meekly to ſubmit our ſelves as as often as we have offended, he regardeth with infinite mercy thoſe ſervices which are as nothing, and with words of comfort reviveth our afflicted minds, ſaying, *It is I, even I, that take away thine iniquities for mine own ſake.* Thus doth repentance ſatisfie God, changing his wrath and indignation unto mercy.

Baſil. hom. in Pſal. 37. πάντῃ γὰρ πάθους ἀλλότριος τὸ Θεῖον.

Anger and mercy are in us, paſſions; but in him not ſo.

God (ſaith S. *Baſil*) *is no wayes paſſionate, but becauſe the puniſhments which his judgements doe inflict, are like effects of indignation ſevere and grievous to ſuch as ſuffer them, therefore we terme the revenge which he taketh upon ſinners, anger; and the withdrawing of his plagues, mercy. His wrath* (ſaith S. *Auguſtin*) *is not as ours, the trouble of a mind diſturbed and diſquieted with things amiſſe, but a calm, unpaſſionate, and juſt aſtignation of dreadfull puniſhment to be their portion which have diſobeyed; his mercy a free determination of all felicity and happineſſe unto men, except their ſinnes remaine as a barre between it and them.* So that when God doth ceaſe to be angry with ſinfull men, when he receiveth them into favour, when he pardoneth their offences, and remembreth their iniquities no more, (for all theſe ſignifie but one thing) it muſt needs follow that all puniſhments before due in revenge of ſinne, whether they be temporall or eternall are remitted.

Cum Deus iraſcitur, non ejus ſignificatur perturbatio qualis eſt in animo irascentis hominis, ſed ex humanis motibus tranſlato vocabulo, vindicta ejus quæ non niſi juſta eſt, iræ nomen accepit, Aug. tom. 3. Ench. c. 33.

For how ſhould Gods indignation import only mans puniſhment, and yet ſome puniſhment remaine unto them towards whom there is now in God no indignation

indignation remaining? *God* (ſaith *Tertullian*) *takes penitency at mens hands, and men at his in liew thereof receive impunity*; which notwithſtanding doth not prejudice the chaſtiſements which God after pardon hath laid upon ſome offenders, as on [a] the people of *Iſrael*, on [b] *Moſes*, on [c] *Miriam*, on [d] *David*, either for their own [e] more ſound amendement, or for [f] example unto others in this preſent world (for in the world to come, puniſhments have unto theſe intents no uſe, the dead being not in caſe to be bettred by correction, nor to take warning by executions of Gods Juſtice there ſeen) but aſſuredly to whomſoever he remitteth ſinne, their very pardon is in it ſelfe a full abſolute and perfect diſcharge for revengfull puniſhment, which God doth now here threaten, but with purpoſe of revocation, if men repent, no where inflict but on them whom impenitency maketh obdurate.

Of the one therefore it is ſaid, *Though I tell the wicked, Thou ſhalt die the death, yet if he turneth from his ſin, and doe that which is lawfull and right, he ſhall ſurely live and not die.* Of the other, *Thou according to thine hardneſſe, and heart that will not repent treaſureſt up to thy ſelfe wrath againſt the day of wrath, and evident appearance of the juſt judgement of God.* If God be ſatisfied and doe pardon ſin, our juſtification reſtored is as perfect as it was at the firſt beſtowed: For ſo the Prophet *Iſaiah* witneſſeth, *Though your ſinnes were as crimſon, they ſhall be made as white as ſnow, though they were as ſcarlet, they ſhall be as white as woull.* And can we doubt concerning the puniſhment of revenge, which was due to ſinne, but that

Penitentiæ compenſatione reſumendam propenſi impunitatem Dei. Tertull. de pœn.

a Numb. 14. 21.
b Num. 20. 12.
c Num. 12. 14.
d 2 Sam. 12. 14.
e *Cui Deus vere propitius eſt non ſolum condonat peccata ne noceant ad futurum ſeculum, ſed etiam caſtigat, ne ſemper peccare deleclet.* Aug. in Pſal. 98.
f *Plectuntur quidam quo ceteri corrigantur; exempla ſunt ſunt omnium, tormenta paucorum.* Cypr. de lapſis.

Ezech. 33. 14. Rom. 2. 5.

Eſ. 1. 18.

if God be satisfied, and have forgotten his wrath, it must be even as S. *Augustine* reasoneth, *what God hath covered, he will not observe, and what he observeth not, he will not punish.* The truth of which doctrine is not to be shifted of by restraining it unto eternall punishment alone: for then would not *David* have said, *They are blessed to whom God imputeth not sinne*; blessednesse having no part or fellowship at all with malediction: whereas to be subject to revenge for sin, although the punishment be but temporall, is to be under the curse of the Law; wherefore, as one and the same fire consumeth stubble and refineth gold, so if it please God to lay punishment on them whose sinnes he hath forgiven; yet is not this done for any destructive end of wasting and eating them out, as in plagues inflicted upon the impenitent, neither is the punishment of the one as of the other proportioned by the greatnesse of sinne past, but according to that future purpose, whereunto the goodnesse of God referreth it, and wherein there is nothing meant to the sufferer, but furtherance of all happinesse, now in grace, and hereafter in glory; S. *Augustine*, to stop the mouthes of *Pelagians*, arguing, *That if God had imposed death upon* Adam *and* Adam's *posterity, as a punishment of sinne, death should have ceased when God had procured sinners their pardon:* Answereth first, *It is no marvell, either that bodily death should not have happened to the first man, unlesse he had first sinned, (death as a punishment following his sinne) or that after sinne is forgiven, death notwithstanding befalleth the faithfull, to the end that the strength of righteousnesse might be exercised, by overcomming the feare thereof.* So that

Si texit Deus peccata, voluit advertere, si voluit advertere noluit animadvertere.

Aug. de pecc. mer. & rem. lib. 2. c. 34. Mirandum non est, & mortem corporis non fuisse eventuram homini, nisi praecessisset peccatum, cujus etiam talis poena consequeretur, si post remissionem peccatorum eam fidelibus eveni-

that juſtly God did inflict bodily death on man for committing ſinne, and yet after ſinne forgiven, took it not away, that his righteouſneſſe might ſtill have whereby to bee exerciſed. He fortifieth this with *Davids* example, whoſe ſinne he forgave, and yet afflicted him for exerciſe and tryall of his humility. Briefly, a generall axiome he hath for all ſuch chaſtiſements, *Before forgiveneſſe, they are the puniſhment of ſinners, and after forgiveneſſe, they are exerciſes and tryals of righteous men.* Which kinde of proceeding is ſo agreeable with Gods nature and mans comfort, that it ſheweth even injurious to both, if we ſhould admit thoſe ſurmiſed reſervations of tempotall wrath, in God appeaſed towards reconciled ſinners. As a Father he delights in his childrens converſion, neither doth he threaten the penitent with wrath, or them with puniſhment which already mourn; but by promiſe aſſureth ſuch of indulgence and mercy; yea, even of plenary pardon which taketh away all both faults and penalties: There being no reaſon why we ſhould think him the leſſe juſt becauſe he ſheweth him thus merciſull, when they which before were obſtinate labour to appeaſe his wrath with the penſive meditation of contrition, the meek humility which confeſſion expreſſeth, and the deeds wherewith repentance declareth it ſelfe to be an amendment as well of the rotten fruits, as the dried leaves and withered root of the tree. For with theſe duties by us performed and preſented unto God in heaven by Jeſus Chriſt, whoſe blood is a continuall ſacrifice of propitiation for us, we content, pleaſe, and ſatisfie God. Repentance therefore, even the ſole vertue of repentance

re ut ejus timore vincendo exerceretur fortitudo juſtitiæ. Sic & mortem corporis propter hoc peccatum Deus homini inflixit, & poſt peccatorum remiſſionem propter exercendam juſtitiam non ademit.

Ante remiſſionem eſſe illa ſupplicia peccatorũ, poſt remiſſionem autẽ certamina exercitationeſq; juſtorum. Cypr. Epiſt. 53.

repentance without either purpose of shrift or desire of absolution from the Priest; repentance the secret conversion of the heart, in that it consisteth of these three; and doth by these three pacifie God; may be without hyperbolicall termes most truly magnified, as a recovery of the soule of man from deadly sickness, a restitution of glorious light to his darkned minde, a comfortable reconciliation with God, a spirituall nativity, a rising from the dead, a day spring from out the depth of obscurity, a redemption from more then the *Egyptian* thraldome, a grinding of the old *Adam*, even into dust and powder, a deliverance out of the prisons of hell, a full restauration of the Seat of Grace and Throne of Glory, a triumph over sinne, and a saving Victory.

Amongst the works of satisfaction, the most respected have been alwayes these three, Prayers, Fasts, and Almes deeds; by prayers, we lift up our soules to him from whom sinne and iniquity had withdrawn them; by fasting, we reduce the body from thraldome under vaine delights, and make it serviceable for parts of vertuous conversation; by Almes, we dedicate to charity those wordly goods and possessions, which unrighteousnesse doth neither get, nor bestow well: The first, a token of pitty intended towards God; the second, a pledge of moderation and sobriety in the carriage of our own persons; the last, a testimony of our meaning to doe good to all men. In which three, the Apostle by way of abridgement comprehendeth whatsoever may appertaine to sanctimony, holinesse, and good life: as contrariwise the very masse

masse of generall corruption throughout the world, what is it but only forgetfulnesse of God, carnall pleasure, immoderate desire after worldly things, prophannesse, licentiousnesse, coveteousnesse? All offices of repentance have these two properties; there is in performance of them painfulnesse, and in their nature a contrariety unto sinne. The one consideration, causeth them both in holy Scripture and elsewhere to be termed judgement or revenges taken voluntarily on our selves, and to be furthermore also preservatives from future evils, in as much we commonly use to keep with the greater care that which with pain we have recovered. And they are in the other respect contrary to sinne committed, contrition, contrary to the pleasure; confession, to the errour, which is mother of sinne, and to the deeds of sinne, the works of satisfaction contrary; therefore they are the more effectuall to cure the evill habite thereof: Hereunto it was that S. *Cyprian* referred his earnest and vehement exhortations, *That they which had fallen, should be instant in prayer, reject bodily ornaments, when once they had stripped themselves out of Christ's attire, abhorre all food after Satans morsels tasted, follow works of righteousnesse, which wash away sinne, and be plentifull in almes deeds wherewith soules are delivered from death: Not, as if God did according to the manner of corrupt Iudges, take some money to abate so much in the punishment of Malefactors. These duties must be offered* (saith *Salvianus*) *not in confidence to redeeme or buy out sinne, but as tokens of meek submission; neither are they with God accepted, because of their valew, but for the affections sake, which doth thereby shew it selfe.*

2 Cor 7. 11. Γὰρ ἡμῶν αὐτῶν δίκην λαβωμεν, ἡμῶν αὐτῶν κατηγορήσωμεν ὅτως ἐξιλεωσόμεθα τὸν κριτὴν.

Chyst. hom. 30. in Ep. ad Heb.

Cypr. de lapsis

Salv. ad. Eccl. Cath. lib. 1.

ſelfe. Wherefore concerning ſatisfaction made to God by Chriſt only, and of the manner how repentance generally, particularly alſo, how certaine ſpeciall works of penitency, both are by the Fathers in their ordinary phraſe of ſpeech called ſatisfactory, and may be by us very well ſo aknowledged, enough hath been ſpoken.

Our offences ſometime are of ſuch nature as requireth that particular men bee ſatisfied, or elſe repentance to be utterly void, and of none effect. For, if either through open repine or cloaked fraud, if through injurious, or unconſcionable dealing a man have wittingly wronged others to enrich himſelfe, the firſt thing evermore in this caſe required (ability ſerving) is reſtitution. For let no man deceive himſelfe, from ſuch offences we are not diſcharged, neither can be, till recompence and reſtitution to man, accompany the penitent confeſſion we have made to Almighty God. In which caſe the Law of *Moſes* was direct and plaine, *If any ſinne and commit a treſpaſſe againſt the Lord, and deny unto his neighbours that which was given him to keep, or that which was put unto him of truſt, or doth by robbery, or by violence oppreſſe his neighbour; or hath found that which was loſt, and denyeth it, and ſweare falſly, for any of theſe things that a man doth wherein he ſinneth, he that doth thus offend and treſpaſſe, ſhall reſtore the robbery that he hath taken, or the thing he hath gotten by violence, or that which was delivered him to keep, or the loſt thing which he found; and for whatſoever he hath ſworn falſly; adding perjury to injury, he ſhall both reſtore the whole ſum and ſhall adde therunto a fift part more, and deliver it unto him, unto whom*

Levit. 6. 2.

whom it belongeth, the ſame day wherein he offereth for his treſpaſſe. Now becauſe men are commonly overſlack to perform this duty, and doe therefore deferre it ſometime, till God have taken the party wronged out of the world, the Law providing that treſpaſſers might not under ſuch pretence gaine the reſtitution which they ought to make, appointeth the kindred ſurviving to receive what the dead ſhould, if they had continued. *But* (ſaith *Moſes*) *if the party wronged have no kinſman to whom this dammage may be reſtored, it ſhall then be rendred to the Lord himſelf for the Prieſts uſe.* The whole order of proceeding herein is in ſundry traditionall writings ſet down by their great Interpretors and Scribes, which taught them that a treſpaſſe between a man and his neighbour, can never be forgiven till the offendor have by reſtitution made recompence for wrongs done; yea, they hold it neceſſary that he appeaſe the party grieved by ſubmitting himſelfe unto him, or, if that will not ſerve, by uſing the help and mediation of others; *in this caſe* (ſay they) *for any man to ſhew himſelf unappeaſable and cruell, were a ſinne moſt grievous, conſidering that the people of God ſhould be eaſie to relent*, as Joſeph *was towards his brethren*; finally, if ſo it fall out that the death of him which was injured, prevent his ſubmiſſion which did offend, let him then (for ſo they determine that he ought) goe accompanied with ten others unto the Sepulchre of the dead, and there make confeſſion of the fault, ſaying, *I have ſinned againſt the Lord God of Iſrael, and againſt this man, to whom I have done ſuch or ſuch injury; and if money be due, let it be reſtored to his heires, or incaſe he have* Numb. 5. 8.

none known, leave it with the house of judgement. That is to say, with the Senators, Ancients and Guides of *Israel*; we hold not Christian people tyed unto Jewish orders, for the manner of restitution; but surely restitution, we must hold necessary as well in our own repentance as theirs, for sins of wilfull oppression and wrong.

Quandiu enim res propter quam peccatum est, non redditur, si reddi potest, non agitur penitentia sed fingitur. Sent. 4. d. 15.

Now although it suffices, that the offices wherewith we pacifie God or private men, be secretly done; yet in cases where the Church must be also satisfied, it was not to this end & purpose unnecessary, that the ancient Discipline did farther require outward signes of contrition to be shewed, confession of sins to be made openly, and those works to be apparent which served as testimonies for conversion before men. Wherein, if either hypocrisie did at any time delude their judgement, they knew, that God is he whom masks and mockeries cannot blind, that he which seeth mens hearts would judge them according unto his own evidence, and as Lord, correct the sentence of his servants, concerning matters beyond their reach; Or if such as ought to have kept the rules of Canonicall satisfaction, would by sinister meanes and practices undermine the same, obtruding presumptuously themselves to the participation of Christs most sacred mysteries, before they were orderly readmitted thereunto, the Church for contempt of holy things, held them uncapable of that grace, which God in the Sacrament doth impart to devout Communicants; and no doubt but he himselfe did retaine bound, whom the Church in those cases refused to loose.

Cypr. Ep. 52.

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The Fathers, as may appeare by sundry Decrees and Canons of the Primitive Church, were (in matter specially of publike scandall) provident that too much facility of pardoning might not be shewed. *He that casteth of his lawful wife* (saith S. *Basil*) *& doth take another, is adjudged an adulterer by the verdict of our Lord himself; and by our Fathers it is Canonically ordained, that such for the space of a year shall mourn, for two years space hear, three yeares be prostrate, the seventh year assemble with the faithfull in prayer, and after that be admitted to communicate, if with teares they bewaile their fault.*

Basil. Ep. ad Amphil. c. 4.

Of them which had fallen from their faith in the time of Emperour *Licinius*, and were not thereunto forced by any extreme usage, the *Nicen* Synod, under *Constantine* ordained, *That earnestly repenting, they should continue three yeares Hearers, seven years be prostrate, and two yeares communicate with the people in prayer, before they came to receive the oblation.* Which rigor sometimes they tempered nevertheless with lenity, the selfe same Synod having likewise defined, *That whatsoever the cause were, any man desirous at the time of departure out of this life to receive the Eucharist might (with Examination and tryall) have it granted him by the Bishop.* Yea, besides this case of speciall commiseration, there is a Canon more large which giveth alwayes liberty to abridge, or extend out the time, as the parties meek, or sturdy disposition should require.

Concil. Nycen. can. 11.

Καθόλου καὶ περὶ πάντος τοῦ τινὸς ἐξοδεύοντος αἰτοῦντος μετάσχειν Εὐκαριστίας, ὁ ἐπίσκοπος μετὰ δοκιμασίας μεταδιδότω τὴν προσφορᾶς. *Cant. 13.*

μετὰ δοκιμασίας id est manifestis judiciis deprehensa peccatoris seria conversione ad Deum. Cant. 12.

By meanes of which Discipline, the Church having power to hold them many years in suspence, there was bred in the mindes of the penitents, thorough long and daily practice of submission, a

contrary habite unto that which before had bin their ruine, and for ever afterwards warineſſe not to fall into thoſe ſnares, out of which they knew they could not eaſily winde themſelves. Notwithſtanding, becauſe there was likewiſe hope, and poſſibility of ſhortning the time, this made them in all the parts and offices of their repentance the more fervent. In the firſt ſtation, while they only beheld others paſſing towards the Temple of God, whereunto for themſelves to apptoach, it was not lawfull, they ſtood as miſerable forlorn men, the very patterns of perplexity and woe. In the ſecond, when they had the favour to wait at the doores of God, where the ſound of his comfortable word might be heard, none received it with attention like to theirs: thirdly, being taken and admitted to the next degree of proſtrates, at the feet, yet behind the back of that Angel repreſenting God, whom the reſt ſaw face to face; their teares, and entreaties both of Paſtor and People were ſuch as no man could reſiſt. After the fourth ſtep which gave them liberty to heare and pray with the reſt of the people, being ſo near the haven, no diligence was then ſlacked which might haſten admiſſion to the heavenly Table of Chriſt their laſt deſire. It is not therefore a thing to be marvelled at, though S. *Cyprian* took it in very ill part, when open backſliders from the faith & ſacred Religion of Chriſt, laboured by ſiniſter practice to procure from impriſoſoned Saints, thoſe requeſts for preſent abſolution, which the Church could neither yeeld unto with ſafety of Diſcipline, nor in honour of martyrdome eaſily deny. For, what would thereby enſue, they needed

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not to conjecture, when they ſaw how every man which came ſo commended to the Church by letters, thought that now he needed not to crave, but might challenge of duty his peace; taking the matter very highly, if but any little forbearance, or ſmall delay was uſed. *He which is overthrown* (ſaith *Cyprian*) *menaceth them that ſtand, the wounded them that were never toucht; and becauſe preſently he hath not the body of our Lord, in his foule imbrued hands, nor the blood within his polluted lips, the miſcreant fumeth at Gods Prieſts;* *Such is thy madneſſe, O thou furious man; thou art angry with him, which laboureth to turn away Gods anger from thee; him thou threatneſt which ſueth unto God for grace, and mercy on thy behalfe.* *Iacens ſanitibus, & integris vulneratus minatur.* Ex. 12. 31. Ier. 7. 15. Ezech. 14. 14.

Touching Martyrs, he anſwereth, *That it ought not in this caſe to ſeeme offenſive, though they were denied, ſeeing God did himſelfe refuſe to yeeld to the piety of his own righteous Saints, making ſuite for obdurate Iewes.*

As for the parties in whoſe behalfe ſuch ſhifts were uſed, to have their deſire, was in very truth, a way to make them the more guilty: Such peace granted contrary to the rigour of the Goſpel, contrary to the Law of our Lord and God, doth but under colour of mercifull relaxation deceive ſinners, and by ſoft handling deſtroy them, a grace dangerous for the giver; and to him which receiveth it, nothing at all available. The patient expectation that bringeth health, is by this meanes not regarded; recovery of ſoundneſſe not ſought for by the only medicine available, which is ſatisfaction, penitency thrown out of mens hearts, the remembrance of that heavieſt and laſt judgement clean baniſht; the wounds of

dying men, which ſhould be healed, are covered; the ſtroke of death, which hath gone as deep as any bowels are to receive it, is overcaſt with the ſlight ſhew of a cloudy look. From the altar of Satan to the holy of the Lord, men are not afraid to come even belching in a manner the ſacrificed morſels they have eaten, yea, their jawes yet breathing out the irkſome ſavour of their former contagious wickedneſſe, they ſeize upon the bleſſed body of our Lord, nothing terrified with that dreadfull commination, which ſaith, *Whoſoever eateth and drinketh unworthily,* 1 Cor. 11.27. *is guilty of the body and blood of Chriſt.* They vainly think it to be peace which is gotten before they be purged of their faults, before their crime be ſolemnly confeſt, before their conſcience be cleared by the ſacrifice and impoſition of the Prieſts hands, and before they have pacified the indignation of God. Why terme they that a favour which is an injury? wherefore cloke they impiety with the name of charitable indulgence? Such facility giveth not, but rather taketh away peace; and is it ſelf another freſh perſecution or tryall, whereby that fraudulent enemy maketh a ſecret havock of ſuch as before he had overthrown; and now to the end he may clean ſwallow them, he caſteth ſorrow in a dead ſleep, putteth grief to ſilence, wipeth away the memory of faults newly done, ſmoothereth the ſighs that ſhould riſe from a contrite ſpirit, dryeth up eyes, which ought to ſend forth rivers of teares, and permitteth not God to be pacified with full repentance, whom hainous and enormious crimes have diſpleaſed.

By this then we ſee that in S. *Cyprians* judgement

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all abſolutions are voyd, fruſtrate and of no effect, without ſufficient repentance firſt ſhewed; whereas contrariwiſe, if true and full ſatisfaction have gone before, the ſentence of man here given is ratified of God in heaven, according to our Saviours own ſacred teſtimony, *whoſe ſinnes yee remit, they are remitted.*

By what works in the vertue, and by what in the diſcipline of repentance, we are ſaid to ſatisfie either God or men, cannot now be thought obſcure; As for the Inventors of Sacramentall ſatisfaction, they have both altered the naturall order heretofore kept in the Church, by bringing in a ſtrang prepoſterous courſe, to abſolve before ſatisfaction be made, and moreover by this their miſordered practice, are grown into ſundry errours concerning the end whereunto it is referred. The end of ſatisfaction.

They imagine beyond all conceit of Antiquity, that when God doth remit ſinne, and the puniſhment eternall thereunto belonging, he reſerveth the torments of hell fire to bee nevertheleſſe endured for a time, either ſhorter or longer, according to the quality of mens crimes. Yet ſo that there is between God and man, a certaine compoſition (as it were) or contract, by vertue whereof works aſſigned by the Prieſt to be done after abſolution ſhall ſatisfie God, as touching the puniſhment which hee otherwiſe would inflict for ſinne pardoned and forgiven.

Now becauſe they cannot aſſure any man, that if he performeth what the Prieſt appointeth, it ſhall ſuffice; this (I ſay) becauſe they cannot doe, in as much The way of ſatisfying by others.

much as the Prieſt hath no power to determine or define of equivalency between ſinnes and ſatisfactions; and yet if a Penitent depart this life, the debt of ſatisfaction being either in whole or in part undiſcharged, they ſtedfaſtly hold, that the ſoul muſt remaine in unſpeakable torment till all be paid; therefore for help and mitigation in this caſe, they adviſe men to ſet certaine copeſ-mates on work, whoſe prayers and ſacrifices may ſatisfie God for ſuch ſouls as depart in debt. Hence have ariſen the infinite penſions of their Prieſts, the building of ſo many Altars and Tombs, the enriching of Churches with ſo many glorious coſtly gifts, the bequeathing of lands, and ample poſſeſſions to Religious Companies, even with utter forgetfulneſſe of friends, parents, wife and children, all naturall affection giving place unto that deſire, which men doubtfull of their own eſtate, have to deliver their ſoules from torment after death.

Yet, behold even this being alſo done, how farre forth it ſhall availe, they are not ſure; and therefore the laſt upſhot unto all their former inventions, is, that as every action of Chriſt, did both merit for himſelf, and ſatisfie partly for the eternall, and partly for the temporall puniſhment due unto men for ſinne; ſo his Saints have obtained the like priviledge of Grace, making every good work they doe, not only meritorious in their own behalf, but ſatisfactory too for the benefit of others; or if, having at any time grievouſly ſinned, they doe more to ſatisfy God, then he in juſtice can exact, or look for at their hands, the ſurpluſage runneth to a common ſtock,

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out of which treaſury, contayning whatſoever Chriſt did by way of Satisfaction for temporall puniſhment, together with the ſatisfactory force which reſideth in all the vertuous works of Saints; and in their Satisfactions whatſoever doth abound, (I ſay) *From hence they hold God ſatisfied for ſuch arrerages, as men behinde in accompt diſcharge not by other means, and for diſpoſition hereof, as it is their Doctrine, that Chriſt remitteth not eternall death without the Prieſts Abſolution, ſo without the grant of the Pope, they cannot but teach it alike unpoſſible, that Soules in Hell ſhould receive any temporall releaſe of pain: the Sacrament of Pardon from him being to this effect no leſſe neceſſary, than the Prieſts Abſolution to the other.* So that by this poſtern gate commeth in the whole mark of Papall Indulgences, a gain unеſtimable unto him, to others a ſpoile, a skorn both to God and Man. So many works of ſatisfaction pretended to be done by Chriſt, by Saints, and Martyrs; ſo many vertuous acts poſſeſſed with ſatisfactory force and vertue, ſo many ſupererogations in ſatisfying beyond the exigence of their own neceſſitie; and this that the Pope might make a Monopolie of all, turning all to his own gain, or at leaſt to the gain of thoſe which are his own. Such facilitie they have to convert a pretended Sacrament into a Revenue.

Of Abſolution of Penetents.

SIn is not helped but by being aſſecured of Pardon: It reſteth therefore to be conſidered what warrant we have concerning Forgivenes, when the Sentence of man abſolveth us from ſin committed againſt

God. At the words of our Saviour, saying, to the
Mat. 9. 2. sick of the Palsy, *Sonne thy sins are forgiven thee*, Exception was taken by the Scribes, who secretly reasoned against him,
Mark. 5. 21. *Is any able to forgive sins, but onely God?* Whereupon they condemned his speech as blasphemy, The rest which believed him to bee a Prophet sent from God, saw no cause wherefore he
Luk. 5. 21. might not as lawfully say, and as truly, To whomsoever amongst them, *God hath taken away thy sins*, as *Nathan* (they all knew) had used the very like speech, to whom *David* did not therefore impute blasphemie, but imbraced, as became him, the words of truth, with joy and reverence.

Now there is no Controversie, but as God in that speciall case did authorize *Nathan*, so Christ more generally his Apostles, and the Ministers of his Word, in his Name to absolve sinners. Their power being equall, all the difference between them can be but onely in this, that whereas the one had propheticall evidence, the other have the certainty, partly of Faith, and partly of Humane experience, whereupon to ground their sentence; Faith, to assure them of Gods most gracious Pardon in Heaven unto all Penitents, and touching the sincerity of each particular parties repentance as much, as outward sensible tokens or signes can warrant.

It is not to be marvailed that so great a difference appeareth between the Doctrine of *Rome* and *Ours*, when wee teach Repentance. They, imply in the Name of Repentance much more than wee doe; wee stand cheifly upon the due inward Conversion of the Heart, they more upon Works of externall shew; we teach

teach above all things, that Repentance which is one and the ſame from the beginning to the worlds end; they a Sacramentall Penance of their own deviſing and ſhaping: We labour to inſtruct men in ſuch ſort, that every Soule which is wounded with ſinne, may learn the way how to cure it ſelf, they clean contrary would make all Soars ſeem incurable, unleſſe the Prieſts have a hand in them.

Touching the force of whoſe Abſolution they ſtrangely hold, that whatſoever the Penitent doth, His Contrition, Confeſſion, and Satisfaction have no place of right to ſtand, as materiall parts in this Sacrament, nor conſequently any ſuch force as to make them available for the taking away of ſin, in that they proceed from the Penitent himſelf without the privity of the Miniſter, but onely, as they are enjoyned by the Miniſters Authoritie and Power. So that no contrition or griefe of heart, till the Prieſt exact it, no acknowledgement of ſinnes, but that which he doth demand, no praying, no faſting, no alms, no recompence, or reſtitution for whatſoever we have done, can help, except by him, it be firſt impoſed. It is the chain of their own Doctrine, no remedie for mortall ſinne committed after Baptiſme, but the Sacrament of Penance onely: no Sacrament of Penance, if either matter or form be wanting, no wayes to make thoſe duties a materiall part of the Sacrament, unleſſe wee conſider them, as required and exacted by the Prieſt. Our Lord and Saviour, they ſay, hath ordained his Prieſts, Judges in ſuch ſort, that no man which ſinneth after Baptiſme, can be reconciled unto God, but by

Ipſius pœnitentis actio non eſt pars Sacramenti, niſi quatenus poteſtati Sacerdotali ſubjicitur & à Sacerdote dirigitur vel jubetur. *Bell. de Pœn. l. 1. c. 16.*

Chriſtus inſtituit Sacerdotes Judices ſuper terram cum ea poteſtate, ut ſine ipſorum ſententia, nemo poſt Baptiſmum lapſus reconciliari poſſit. *Bell. l. 3. c. 1. de pœnit.*

their sentence. For why? If there were any other way of Reconciliation, the very promise of Christ should be false in saying. *Whatsoever yee binde on Earth, shall be bound in Heaven, and whose sins soever yee retain, are retained.* Except therefore the Priest be willing, God hath by promise hampred himself so, that it is not now in his own power to Pardon any man. Let him which hath offended crave as the Publican did, *Lord be thou Mercifull to mee a sinner*; Let him, as *David* make a thousand times his supplication, *Have mercy upon mee, O God, according to thy loving kindnes, according to the multitude of thy compassion put away mine iniquities.* All this doth not help till such time as the pleasure of the Priest bee known, till he have signed us a Pardon, and given us, our *quietus est.* God himself hath no answer to make but such as that of his Angel unto *Lot*, I can doe no thing.

Quod si possent ei fine sacerdotum sententia absolvi, enim esset vera Christi promissio, Quicunque &c. *Bellarm. ibid.*

It is true, that our Saviour by these words, *whose sins yee remit, they are remitted*, did ordain Judges over our sinfull Soules, give them Authoritie to absolve from sin, and promise to ratifie in Heaven whatsoever they should doe on Earth, in execution of this their Office, to the end that hereby, as well his Ministers might take encouragement to doe their duty with all Faithfulnes, as also his people admonition, gladly, with all reverence, to be ordered by them, both parts knowing that the Functions of the one towards the other have his perpetuall assistance and approbation. Howbeit all this with two restraints which every jurisdiction in the world hath, The one, that the practise thereof proceed in due order, The other that it do not extend it selfe beyond due bounds, which bounds or limits

limits have ſo confined pœnitentiall juriſdiction, that although there be given unto it power of remitting ſinne, yet not ſuch ſoveraignty of power that no ſin ſhould be pardonable in man without it: Thus to enforce our Saviours words, is as though wee ſhould gather, that becauſe, Whatſoever *Joſeph* did command in the Land of *Ægypt*; *Pharoahs* grant is, it ſhould be done, therefore, he granteth that nothing ſhould bee done in the Land of *Ægypt*, but what *Joſeph* did command, and ſo conſequently, by enabling his ſervant *Joſeph*, to command under him, diſableth himſelf to command any thing without *Joſeph*.

Chriſtus ordinariam ſuam poteſtatem in Apoſtolos tranſtulit, extraordinariam ſibi reſervavit.

But by this we ſee how the Papacy maketh all ſin unpardonable, which hath not the Prieſts Abſolution, except peradventure in ſome extraordinary caſe, where albeit abſolution be not had, yet, it muſt be deſired.

Ordinaria enim remedia in Eccleſia ad remittenda peccata ſunt ab eo inſtituta, Sacramenta: ſine quibus peccata remittere Chriſtus poteſt, ſed extraordinarie & multò varius, hoc facit quam per Sacramenta. Noluit igitur eos extraordinariis remediis remiſſionis peccatorum confidere, quæ, & rara ſunt & incerta, ſed ordinaria, ut ita dicam, viſibilia Sacramentorum quærere remedia. *Maldon in Mat.* 16. 19.

What is then the force of abſolution? What is it which the act of Abſolution worketh in a ſinfull man? doth it by any operation derived from it ſelf alter the ſtate of the Soule? Doth it really take away ſinne, Or but aſcertain us of Gods moſt gracious and merciſull pardon? The latter of which two is our aſcertion, the former theirs.

At the words of our Lord and Saviour Jeſus Chriſt, ſaying unto the ſick of the palſe, *Sonne, thy ſinnes are forgiven thee*, the Phariſees which knew him not to bee *Sonne of the living God*, took ſecret exception, and *Mat.* 9. 2. *Mar.* 2. 7.

fell to reasoning with themselves against him: *Is any able to forgive sins, but God onely? The sins* (saith Saint *Cyprian*) *that are committed against him, hee alone hath power to forgive, which took upon him our sinnes, he which sorrowed and suffered for us, he whom the Father delivered unto Death for our offences.* Whereunto may be added that which *Clemens Alexandrinus* hath, *Our Lord is profitable every way, every way beneficiall, whether we respect him as Man, or as God, as God forgiving, as Man instructing and learning how to avoid sinne. For it is I, even I that putteth away thine iniquities for mine own sake, and will not remember thy sins, saith the Lord.*

Luc. 5. 21. Cypr. de Lapsi. c. 14. Clem. Alex. Padag. li. 1. πάντα ὠφελεῖ τὸν Κύριον καὶ πάντα ὠφελεῖ, καὶ ὡς ἄνθρωπον καὶ, καὶ ὡς Θεὸν. τὰ μὲν ἁμαρτήματα, ὡς Θεὸς ἀφιεὶς εἰς ἐμὲ τὸ μὴ ἐξαμαρτάνειν παιδαγωγῶν ὡς ἄνθρωπος. Esa. 43. 25.

Now albeit wee willingly confesse with Saint *Cyprian*, *The sinnes that are committed against him, he onely hath power to forgive, who hath taken upon him our sinnes, he which hath sorrowed and suffered for us, he, whom God hath given for our offences.* Yet neither did Saint *Cyprian* intend to deny the power of the Minister, otherwise then if he presume beyond his Commission to remit sinne, where Gods own will is it should be retained; for, against such Absolutions he speaketh (which being granted to whom they ought to have been denyed are of no validitie,) and if rightly it be considered, how higher causes in operation use to concur with inferiour meanes, his grace with our Ministerie, God really performing the same, which man is authorized to act as in his name, there shall need for decision of this point no great labour.

Veniam peccatis quæ in ipsum commissa sunt, solus potest ille largiri, qui peccata nostra portavit, qui pro nobis doluit, quem Deus tradidit pro peccatis nostris.

To remission of sinnes, there are two things necessary, Grace, as the onely cause which taketh away iniquitie, and Repentance as a duty or condition required in us. To make Repentance such as it should bee,

bee, what doth God demand but inward ſincerity, joyned with fit and convenient offices for that purpoſe, the one referred wholly to our own conſciences, the other beſt diſcerned by them whom God hath appointed Judges in this Court. So that having firſt the promiſes of God for pardon generally unto all offendors penitent, and particularly for our own unfained meaning, the unfallable teſtimony of a good Conſcience, the ſentence of Gods appointed Officer and Vicegerent to approve with unpartiall judgement the quality of that we have done, and, as from his tribunal in that reſpect to aſſoile us of any crime: I ſee no cauſe but that by the rules of our Faith and Religion we may reſt our ſelves very well aſſured touching Gods moſt mercifull pardon and grace, who eſpecially for the ſtrengthning of weak, timorous and fearefull mindes, hath ſo far endued his Church with power to abſolve ſinners. It pleaſeth God that men ſometimes ſhould by miſſing this help perceive how much they ſtand bound to him for ſo precious a benefit enjoyed. And ſurely ſo long as the world lived in any awe or fear of falling away from God, ſo deere were his Miniſters to the People, chiefly in this reſpect, that being through tyrannie, and perſecution deprived of Paſtors, the doleſull rehearſall of their loſt felicities hath not any one thing more eminent, then that ſinners diſtreſt ſhould not now know, how or where to unlade their burthens. Strange it were unto me that the Fathers who ſo much every where extoll the grace of Jeſus Chriſt in leaving unto his Church this Heavenly and Divine power, ſhould as men whoſe ſimplicity had univerſally been

Victor. de perſecutione Vandal.

been abuſed, agree all to admire and magnifie a needleſſe Office.

The ſentence therefore of Miniſteriall abſolution hath two effects, Touching ſinne it onely declareth us freed from the guiltines thereof, and reſtored into Gods favours; but concerning right in ſacred and divine myſteries whereof through ſin wee were made unworthy, as the power of the Church did before effectually binde and retain us from acceſſe unto them, ſo upon our apparent repentance, it truly reſtoreth our liberty, looſeth the chains wherewith we were tyed, remitteth all whatſoever is paſt, and accepteth us no leſſe returned then if wee never had gone aſtray.

For in as much as the power which our Saviour gave to his Church, is of two kindes, the one to bee exerciſed over voluntary penitents onely, the other over ſuch as are to bee brought to amendment by Eccleſiaſticall cenſures, the words wherein he hath given this Authority muſt be ſo underſtood as the ſubject or matter whereupon it worketh, will permit. It doth not permit that in the former kinde (that is to ſay) in the uſe of power over voluntary Converts to binde or looſe, remit or retain ſhould ſignifie any other, then onely to pronounce of ſinners according to that which may be gathered by outward ſignes, becauſe really to effect the removall or continuance of ſinne in the Soule of any Offendor, is no Prieſtly act, but a work which far exceedeth their ability. Contrarywiſe in the latter kinde of ſpirituall Juriſdiction, which by Cenſures conſtraineth men to amend their lives: It is true that the Miniſter of God doth then more declare

declare and ſignifie what God hath wrought. And this power, true it is, that the Church of Chriſt hath inveſted in it.

Howbeit, as other truths, ſo this hath by errour been oppugned and depraved through abuſe. The firſt of name, that openly in writing withſtood the Churches authoritie, and power to remit ſinne, was *Tertullian*, after he had combined himſelf with *Montaniſts*, drawn to the liking of their Hereſie, through the very ſowerneſſe of his own nature, which neither his incredible skill and knowledge otherwiſe, nor the very Doctrine of the Goſpel it ſelf, could but ſo much alter as to make him favor any thing, which carried with it the taſte of lenitie. A ſpung ſteeped in Worm-wood and Gall, a man through too much ſeverity mercileſſe, and neither able to endure, nor to be endured of any. His book entitled concerning Chaſtity, and written profeſſedly againſt the Diſcipline of the Church, hath many fretfull and angry ſentences, declaring a minde very much offended with ſuch as would not perſwade themſelves that of ſinnes, ſome bee pardonable by the Keys of the Church, ſome uncapable of forgivenes; that middle and moderate offences having received chaſtizement, may by ſpirituall authority afterwards bee remitted: but greater tranſgreſſions muſt (as touching indulgence) be left to the onely pleaſure of Almighty God in the World to come: that as Idolatry and Blood ſhed, ſo likewiſe Fornication and Sinfull luſt are of this nature; that they which ſo far have fallen from God, ought to continue for ever after barred from acceſſe unto his Sanctuary, condemned to perpetuall pro-

fuſion of tears, deprived of all expectation and hope to receive any thing at the Churches hands, but publication of their ſhame. *For* (ſaith he) *who will fear to waſte out that which he hopeth he may recover? Who will be carefull for ever to hold that, which he knoweth cannot for ever be withheld from him? Hee which ſlackneth the bridle to ſinne, doth thereby give it even the ſpurre alſo.* Take away feare, and that which preſently ſucceedeth in ſtead thereof is licentious deſire. Greater offences therefore are puniſhable, but not pardonable by the Church. If any Prophet or Apoſtle be found to have remitted ſuch tranſgreſſions, they did it, not by the ordinary courſe of diſcipline, but by extraordinary power. For they alſo raiſed the dead, which none but God is able to do; they reſtored the Impotent and Lame men, a work peculiar to Jeſus Chriſt; yea, that which Chriſt would not doe, becauſe executions of ſuch ſeverity beſeemed not him, who came to ſave and redeem the World by his ſufferings, they by their power ſtrook *Elymas* and *Ananias*, the one blinde, and the other dead. Approve firſt your ſelves to bee as they were Apoſtles or Prophets, and then take upon you to pardon all men. But if the authority you have be onely Miniſteriall, and no way ſoveraign, overreach not the limits which God hath ſet you; know that to pardon capitall Sin, is beyond your Commiſſion.

Securitas delicti ejus libido eſt ejus.

Howbeit, as oftentimes the vices of wicked men doe cauſe other their commendable qualities to be abhorred, ſo the honour of great mens vertues is eaſily a Cloak of their errours: In which reſpect *Tertullian* hath paſt with much leſſe obloquie and reprehenſion than

than *Novatian*, who breaching afterwards the ſame opinion, had not otherwiſe wherewith to countervaile the offence he gave, and to procure it the like toleration. *Novatian* at the firſt a Stoicall Philoſopher (which kinde of men hath alwayes accounted ſtupidity the higheſt top of wiſdome, and commiſeration the deadlieſt ſinne) became by Inſtitution and Study the very ſame which the other had been before, thorow a ſecret natural diſtemper upon his converſion to the Chriſtian Faith and recovery from ſickneſſe, which moved him to receive the Sacrament of Baptiſme in his Bed. The Biſhop contrary to the Canons of the Church would needs in ſpeciall love towards him ordain him Presbyter, which favour ſatisfyed not him, who thought himſelfe worthy of greater place and dignity. He cloſed therefore with a number of well minded men, and not ſuſpicious what his ſecret purpoſes were, and having made them ſure unto him by fraud, procureth his own conſecration to be their Biſhop. His Prelacy now was able as he thought to countenance what he intended to publiſh, and therefore his letters went preſently abroad to ſundry Churches, adviſing them never to admit to the fellowſhip of holy Myſteries, ſuch as as had after Baptiſme offered ſacrifice to Idols. *Concil. Nicen. can. 12.*

There was preſent at the Councel of *Nice*, together with other Biſhops, one *Aceſius* a *Novatianiſt*, touching whoſe diverſity in opinion from the Church the Emperour deſirous to heare ſome reaſon, asked of him certaine queſtions, for anſwer whereunto *Aceſius* weaveth out a long Hiſtory of things that happned in the perſecution under *Decius*. And of men, *Socrat. l. 4. c. 23.* *Concil. Nicen. c. 30.* *Socrat. l. 4. c. 7.*

which to save life, forsook Faith, but the end was a certain bitter Canon framed in their own Schooles *That men which fall into deadly sinne after holy Baptisme, ought never to bee againe admitted to the Communion of divine mysteries: that they are to bee exhorted unto repentance, howbeit not to bee put in hope that pardon can bee had at the Priests hands, but with God, which hath soveraign power and authority in himselfe, to remit sinnes, it may bee in the end they shall finde mercy.* These followers of *Novatian*, which gave themselves the title of καθαροί, cleane, pure and unspotted men, had one point of *Montanisme* more than their Master did professe, for amongst sinnes unpardonable, they reckoned second Mariages, of which opinion *Tertullian* making (as his usuall manner was) a salt Apologie, *Such is* (saith he) *our stony hardnes, that defaming our Comforter with a kinde of enormity in discipline, we damme up the doors of the Church, no lesse against twice married men, then against Adulterers and Fornicators.* Of this sort therefore it was ordained by the *Nycene Synod*, that, if any such did return to the Catholick and Apostolick unity, they should in writing binde themselves to observe the Orders of the Church, and Communicate aswell with them which had been often married, or had fallen in time of persecution, as with other sort of Christian people. But farther to relate, or, at all to refell the errour of misbelieving men, concerning this point, is not now to our present purpose greatly necessary.

The Church may receive no small detriment by corrupt practise, even there where Doctrine concerning the substance of things practized is free from any

any great or dangerous corruption. If therefore that which the Papacy doth in matter of Confeſſions and Abſolution, be offenſive, if it palpably ſerve in the uſe of the Keyes, howſoever, that, which it teacheth in generall concerning the Churches power to retain and forgive ſinnes be admited true, have they not on the one ſide as much whereat to bee abaſht, as on the other wherein to rejoyce?

They binde all men upon pain of everlaſting condemnation and death, to make confeſſion to their Ghoſtly Fathers of every great offence they know, and can remember that they have committed againſt God. Hath Chriſt in his Goſpel ſo delivered the Doctrine of Repentance unto the World? Did his Apoſtles ſo preach it to Nations? Have the Fathers ſo beleeved, or ſo taught? Surely *Novatian* was not ſo mercileſſe in depriving the Church of power to Abſolve ſome certain offendors, as they in impoſing upon all a neceſſity thus to confeſſe. *Novatian* would not deny but God might remit that which the Church could not, whereas in the Papacy it is maintained that what we conceale from men, God himſelf ſhall never pardon. By which overſight, as they have here ſurcharged the world with multitude, but much abated the weight of confeſſion, ſo the careleſſe manner of their Abſolution hath made diſcipline for the moſt part amongſt them a bare formality: Yea, rather a mean of emboldning unto vicious and wicked life, then either any help to prevent future, or medicine to remedie preſent evils in the Soule of Man. The Fathers were ſlow and always fearful to abſolve any before very manifeſt tokens given of a true penitent

and contrite spirit. It was not their custome to remit sinne first, and then to impose works of satisfaction, as the fashion of *Rome* is now, in so much that this their preposterous course and misordered practises hath bred also in them an errour concerning the end and purpose of these works. For against the guiltinesse of sinne and the danger of everlasting condemnation thereby incurred, Confession and Absolution succeeding, the same are as they take it, a remedy sufficient, and therefore what their penitentiaries do think good to enjoyn farther, whether it bee a num- of *Ave-Maries* daily to be skored up, a Journey of Pilgrimage to be undertaken, some few dishes of ordinarie diet to be exchanged, offrings to be made at the shrines of Saints, or a little to be scraped off from mens superfluities for relieſe of poore people, all is in lieu or exchange with God, whose Justice notwithstanding our pardon, yet oweth us still some temporall punishment; either in this or in the life to come, except we quite it our selves here with works of the former kinde, and continued till the ballance of Gods most strict severity shall finde the paines we have taken equivalent with the plagues which wee should endure, or else the mercy of the Pope relieve us. And at this postern gate commeth in the whole Mart of Papall Indulgences so infinitely strewed that the pardon of sinne, which heretofore was obtained hardly, and by much suit, is with them become now almost impossible to be escaped.

To set down then the force of this Sentence in Absolving Penitents; There are in sin these three things; The act which passeth away and vanisheth; The Pollution

Pollution wherewith it leaveth the Soule defiled, and the puniſhment whereunto they are made ſubject that have committed it. The act of ſinne, is every deed, word, and thought againſt the Law of God. *For ſin is the tranſgreſſion of the Law*, and although the deed it ſelf doe not continue, yet is that bad quality permanent, whereby it maketh the Soule unrighteous and deformed in Gods ſight. *From the Heart, come evill cogitations, Murthers, Adulteries, Fornications, Theſts, Falſe teſtimonies, ſlanders; Theſe are things which defile a man.* They doe not onely as effects of impurity argue the neſt to be unclean, out of which they came, but as cauſes they ſtrengthen that diſpoſition unto wickedneſſe, which brought them forth; They are both fruits and ſeeds of uncleanneſſe, they nouriſh the root out of which they grow, they breed that iniquity which bred them. The blot therefore of ſinne abideth, though the act bee tranſitory. And out of both ariſeth a preſent debt, to endure what puniſhment ſoever the evill which we have done deſerveth, an obligation, in the chains whereof ſinners by the Juſtice of Almighty God continue bound till Repentance looſe them. *Repent this thy wickedneſſe* (ſaith *Peter*) unto *Simon Magus*, beſeech God, that, if it be poſſible the thought of thine heart may be pardoned; for I ſee thou art in the gall of bitternes, and in the bond of iniquity. In like manner *Salomon*; *The wicked ſhall be held faſt in the cords of his own ſin.*

In peccato, tria ſunt; actio mala, inferens maculam, & ſequela. Bonavent. l. 4. d. 17. q. 3.

1 Joh. 3. 4.

Matt. 15. 19.

Act. 8. 23.

Prov. 5. 22.

Nor doth God, onely binde ſinners hand and foot by the dreadfull determination of his own unſearchable judgement againſt

Sacerdotes opus Juſtitiæ exercent in peccatores cum eos juſta pœna ligant; opus miſericordiæ cum de ea aliquid relaxant, vel Sacramentorum communioni conciliant; alia opera in peccatores exercere nequeunt. Sent. l. 4. diſt. 18.

gainst them; but sometime also the Church bindeth by the Censures of her discipline: So that when offendors upon their repentance are by the same discipline absolved, the Church looseth but her own bonds, the chaines wherein shee had tyed them before.

The act of sinne God alone remitteth, In that his purpose is never to call it to account, *or to lay it unto mens charge; the staine he washeth out by the sanctifying grace of his spirit*; and concerning the punishment of sinne, as none else hath power to cast body and soule into hell fire, so none power to deliver either besides him

Act. 7. 60. *Mich.* 7. 19. 2 *Cor.* 6. 11. *Tit.* 3. 5. *Luc.* 12. 5. *Matt.* 10. 28.

As for the Ministerial sentence of private Absolution, it can be no more than a Declaration what God hath done; it hath but the force of the Prophet *Nathans* Absolution, *God hath taken away thy sinne*: Then which Construction, especially of words judiciall, there is not any thing more vulgar. For example, the Publicans are said in the Gospel to have justified God: The Jews in *Malachie* to have blessed proud men, which sinne and prosper not that the one did make God righteous, or the other the wicked happy: but to blesse, to justifie and to absolve, are as commonly used for words of judgement, or declaration, as of true and reall efficacie; yea, even by the opinion of the Master of sentences; it may be soundly affirmed and thought that God alone doth remit and retain sins, although hee have given power to the Church to doe both; but he one way, and the Church another. Hee onely by himselfe forgiveth sinne, who cleanseth the Soule from inward blemish,

2 *Sam.* 12. 13.

Luc. 7. 27. *Malach.* 3. 15.

Sent. l. 4. *dist.* 18

and

and looſeth the debt of eternal death: So great a Priviledge he hath not given unto his Prieſts, who notwithſtanding are authorized to looſe and binde, that is to ſay, declare who are bound, and who are looſed. For albeit a man be already cleared before God, yet he is not in the Church of God ſo taken, but by vertue of the Prieſts ſentence, who likewiſe may be ſaid to binde by impoſing ſatisfaction, and to looſe by admitting to the holy Communion.

Saint *Hierome* alſo, whom the Maſter of the Sentences alleadgeth for more countenance of his own opinion, doth no leſſe plainly and directly affirme: *That as the Prieſts of the Law could onely diſcern, and neither cauſe nor remove Leproſies: ſo the Miniſters of the Goſpel when they retaine or remit ſinne, doe but in the one judge how long wee continue guilty, and in the other declare when wee are cleare or free.* For there is nothing more apparent, then that the diſcipline of Repentance both publick and private was ordained as an outward meane to bring men to the vertue of inward converſion: So that when this by manifeſt tokens did ſeem effected, Abſolution enſuing (which could not make) ſerved onely to declare men innocent.

Hier. tom. 6. comment. in 16. Matt.

But the cauſe wherefore they are ſo ſtiffe and have forſaken their own Maſter in this point, is for that they hold the private diſcipline of Penitency to be a Sacrament, Abſolution an external ſigne in this Sacrament; the ſignes external of all Sacraments in the New Teſtament, to bee both cauſes of that which they ſignifie, and ſignes of that which they truely cauſe.

To this opinion concerning Sacraments, they are now tyed by expounding a Canon in the *Florentine* Councel, according to a former Eccleſiaſticall invention received from *Thomas*. For his deviſe it was, that the mercy of God, which uſeth Sacraments as inſtruments whereby to work, indueth them at the time of their Adminiſtration with ſupernatural force and abilitie to induce grace into the Soules of men; even as the Ax and Saw doth ſeem to bring Timber into that faſhion which the minde of the Artificer intendeth. His concept *Scotus*, *Occam*, *Petrus Alliancenſis*, with ſundry others, doe moſt earneſtly and ſtrongly impugne, ſhewing very good reaſon, wherefore no Sacrament of the new Law can either by vertue which it ſelfe hath, or by force ſupernaturall given it, be properly a cauſe to work grace; but Sacraments are therefore ſaid to worke or conferre grace, becauſe the will of Almighty God is, although not to give them ſuch efficacie, yet himſelf to be preſent in the Miniſtery of the working that effect, which proceedeth wholly from him without any reall operation of theirs, ſuch as can enter into mens Soules.

Scot. ſent. d. 4. ſolut. ad 4. quaſt. & quintam.

Occam in 1. qu. quant. Alliac. quaſt. 1. in 4. ſent.

In which conſtruction, ſeeing that our book and writings have made it known to the world how wee joyne with them, it ſeemeth very hard and injurious dealing, that *Bellarmine* throughout the whol courſe of his ſecond book *de Sacramentis in genere*, ſhould ſo boldly face down his Adverſaries, as if their opinion were that Sacraments are naked, empty, and uneffectuall

Lutherani de hac re interdum ita ſcribunt ut videatur à Catholicis non diſſentire; interdum autem apertiſſime ſcribunt contraria, at ſemper in eadem ſententia manent, Sacramenta non habere immediate illam efficientem reſpectu gratiæ, ſed eſſe nuda ſigna,

ctuall ſignes; wherein there is no other force than onely ſuch as in pictures to ſtir up the minde, that ſo by theorie and ſpeculation of things repreſented, Faith may grow; finally, that all the operation which Sacraments have, is a ſenſible and divine Inſtruction. But had it pleaſed him not to hud-winck his own knowledge, I nothing doubt but hee fully ſaw how to anſwer himſelfe, it being a matter very ſtrange and incredible, that one which with ſo great diligence hath winowed his adverſaries writings, ſhould bee ignorant of their mindes. For, even as in the perſon of our Lord Jeſus Chriſt both God and Man, when his humane nature is by it ſelf conſidered, we may not attribute that unto him, which wedoe and muſt aſcribe as oft as reſpect is had unto both natures combined; ſo becauſe in Sacraments there are two things diſtinctly to be conſidered, the outward ſigne, and the ſecret concurrence of Gods moſt bleſſed Spirit, in which reſpect our Saviour hath taught that water and the Holy Ghoſt are combined,

tamen mediate aliquid efficere quatenus excitant & alunt fidem, quod ipſum non faciunt niſi repreſentando ut Sacramenta per ipſam excitent fidem, quemadmodum praedicatio verbi per auditum. Bellarm. de Sacr. in genere l. 2. c. 2.

Quædam ſigna ſunt theorica, non ad alium finem inſtituta, quam ad ſignificandum; alia ad ſignificandum & efficiendum, quæ ob id practica dici poſſunt. Controverſia eſt inter nos & hæreticos, quod illi faciunt Sacramenta ſigna prioris generis. Quare ſi oſtendere poterimus eſſe ſigna poſterioris generis, obtinuimus cauſam, cap. 8.

Semper memoria repetendum eſt Sacramenta nihil aliud quam inſtrumentales eſſe conferendæ nobis gratiæ cauſas. Calv. in Ant. conf. Frid. ſe. 7. c. 5.

Si qui ſint qui negent Sacramentis contineri gratiam quam figurant, illos improbamus. ibid. can. 6.

Iſte modus non tranſcendit rationem ſignicum Sacramenta nova legis non ſolum ſignificent, ſed cauſent gratiam. part. 3. q. 62. act. 1 Alexan. par. 4. q. 8. memb. 3. act. 5. § 1. & 2. Th. de verit. q. 27. act. 3. Alliac. in quart. ſent. 9. 1. Capr. in 4. d. 1. q. 1 Palud. tom. Ferrar. lib. 4. cont. Gent. c. 57.

Neceſſe eſt ponere aliquam virtutem ſupernaturalem in Sacramentis. Sent. 4. d. 1. q. 1. act. 4.

Sacramentum conſequitur ſpiritualem virtutem cum benedictione Chriſti, & applicatione Miniſtri ad uſum Sacramenti. par. 3. q. 62. art. 4. concil.

Vinculum Sacramentalis habet eſſe tranſiens ex uno in aliud & incompletum. Ibidem.

Ex Sacramentis duo conſequuntur in anima, unum eſt caracter, ſive aliquis ornatus, aliud eſt gratia. Reſpectu primo Sacramenta ſunt cauſæ aliquo modo efficientes; reſpectu ſecundo ſunt diſpones. Sacramenta cauſant

diſpoſitionem ad formam ultimam, ſed ultimam perfectionem non inducunt. Sent. 4. d. 1. q. 1. art. 4.

to work the myſterie of new birth; Sacraments therefore as ſignes have onely thoſe effects before mentioned; but of Sacraments, in that by Gods own will and ordinance they are ſignes aſſiſted alwayes with the power of the Holy Ghoſt; we acknowledge whatſoever either the places of the Scripture, or the authority of Councels and Fathers, or the proofes and arguments of reaſon which hee alleadgeth, can ſhew to be wrought by them. The Elements and words have power of infallible ſignification, for which they are called Seales of Gods truth; the Spirit affixed unto thoſe Elements and Words, power of operation within the Soule, moſt admirable, divine, and impoſſible to be expreſt. For ſo God hath inſtituted and ordained that together with due adminiſtration and receit of Sacramentall ſignes, there ſhall proceed from himſelf, grace effectuall, to ſanctifie, to Cure, to Comfort, and whatſoever is elſe for the good of the Soules of Men. Howbeit this opinion *Thomas* rejecteth, under pretence that it maketh Sacramentall Words and Elements to be in themſelves no more then ſignes, whereas they ought to bee held as cauſes of that they ſignifie. He therefore reformeth it with this addition, that the very ſenſible parts of the Sacraments doe Inſtrumentally effect and produce, not grace, (for the Schoolmen both of theſe times, and long after, did for the moſt part maintain it untrue, and ſome of them unpoſſible, that ſanctifying grace ſhould efficiently proceed but from God alone, and that by immediate creation, as the ſubſtance of the Soule doth)

doth) but the phantaſie which *Thomas* had, was that ſenſible thing through Chriſt and the Prieſts Benediction, receive a certaine ſupernatural tranſitory force, which leaveth behinde it a kinde of preparative qualitie or beautie within the Soule, whereupon immediately from God doth enſue the grace that juſtifieth.

Now they which pretend to follow *Thomas*, differ from him in two points. For firſt, they make grace an immediate effect of the outward ſigne, which he for the dignitie and excellency thereof was afraid to doe. Secondly, whereas he to produce but a preparative quality in the Soule, did imagine God to create in the inſtrument, a ſupernaturall guift, or hability; they confeſſe that nothing is created, infuſed, or any way inherent either in the word, or in the elements; nothing that giveth them inſtrumental efficacie, but Gods meer motion, or application. Are they able to explaine unto us, or themſelves to conceive what they meane when they thus ſpeak? For example, let them teach us, in the Sacrament of Baptiſme, what it is for water to be moved, till it bring forth grace. The application therof by the Miniſter is plain to ſenſe; the force which it hath in the minde, as a mortall inſtrument of information, or inſtruction, we know by reaſon, and by faith we underſtand how God doth aſſiſt it with his ſpirit; whereupon enſueth the grace which Saint *Cyprian* did in himſelfe obſerve, ſaying, *After the bathe of regeneration having ſkowred out the ſtained foulneſſe of former life, ſupernatural light had extrance into the breſt which was purified and cleanſed for it, after that a ſecond nativity had made another man, by inward*

Solus Deus efficit gratiam adeò quod nec Angelis, qui ſunt nobiliores ſenſibilibus creaturis, hoc communicetur. Sent. 4. d. 1. q. 1. art. 4. Eph. 2.

inward receipt of the ſpirit from Heaven; things doubtfull began in mervailous manner to appeare certaine, that to bee open which lay hid, darkneſſe to ſhine like the cleare light, former hardnes to be made facility, impoſſibilitie eaſineſſe: In ſo much as it might be diſcerned how that was earthly, which before had been carnally bred and lived, given over unto ſinnes: that now Gods own, which the holy Ghoſt did quicken.

Our opinion is therefore plaine unto every mans underſtanding. Wee take it for a very good ſpeech, which *Bonaventure* hath uttered in ſaying, *Heed muſt bee taken that while wee aſſigne too much to the bodily ſignes in way of their commendation, wee withdraw not the honour which is due to the cauſe which worketh in them, and the Soule which receiveth them: whereunto wee comformably teach, that the outward ſigne applyed, hath of it ſelfe no naturall efficacie towards grace, neither doth God put into it any ſupernatural inherent vertue*; And, as I think, wee thus farre avouch no more than they themſelves confeſſe to be very true.

Cavendum enim ne dum nimis damus corporalibus ſignis ad laudem, ſubtrahamus honorem cauſæ curanti & animæ ſuſcipienti.

If any thing diſp'eaſe them, it is becauſe we adde to theſe premiſſes another aſſertion; that with the outward ſigne, God joyneth his holy Spirit; and ſo the whole inſtrument of God bringeth that to paſſe, whereunto the baſer and meaner part could not extend. As for operations through the motions of ſignes, they are darke, intricate and obſcure, perhaps poſſible; howbeit, not proved either true or likely, by alleadging that the touch of our Saviours garment reſtored health, clay ſight, when he applyed it.

Lu. 18. Jo. 9.

it. Although ten thouſand ſuch examples ſhould be brought, they overthrow not this one principle; that, where the inſtrument is without inherent, the effect muſt neceſſarily proceed from the onely agents adherent power.

It paſſeth a mans conceit how water ſhould bee carried into the Soule with any force of divine motion, or grace proceed but meerly from the influence of Gods Spirit: Notwithſtanding if God did himſelf teach his Church in this caſe to believe that which he hath not given us capacity to comprehend, how incredible ſoever it may ſeem, yet our wits ſhould ſubmit themſelves, and reaſon give place unto faith therein. But they yeeld it to bee no queſtion of faith, how grace doth proceed from Sacraments, if in generall they be acknowledged true inſtrumentall cauſes, by the Miniſtry whereof men receive divine grace; and that they which impute grace to the onely operation of God himſelf, concurring with the externall ſigne, doe no leſſe acknowledge the true efficacie of the Sacrament, then they that aſcribe the ſame to the quality of the ſigne applyed, or to the motion of God applying, and ſo far carrying it, till grace be not created but extracted, out of the natural poſſibility of the ſoule. Nevertheleſſe this laſt Philoſophicall imagination (if I may call it Philoſophicall,) which uſeth the terms, but overthroweth the rules of Philoſophy, and hath no article of Faith to ſupport it, but whatſoever it be, they follow it in a manner all, they caſt off the firſt opinion, wherein is

Bell. de Sacr. in gen. l. 2. c. 1.

Dicimus gratiam non creari à Deo, ſed produci ex aptitudine & potentia naturali animæ, ſicut cætera omnia quæ producuntur in ſubjectis talibus quæ ſunt apta nata ad ſuſcipiendum accidentia. Allen de Sacram. in gen. c. 37.

is moſt perſpicuity and ſtrongeſt evidence of certain truth. The Councel of *Florence* and *Trent* defining that Sacraments containe and conferre grace, the ſenſe whereof (if it liked them) might ſo eaſily conform it ſelfe with the ſame opinion which they drew without any juſt cauſe quite and clean the other way making grace the iſſue of bare words, in ſuch Sacraments as they have framed deſtitute of any viſible Element, and holding it the of-ſpring as well of Elements as of words in thoſe Sacraments where both are; but in no Sacrament acknowledging grace to bee the fruit of the holy Ghoſt working with the outward ſigne, and not by it, in ſuch ſort, as *Thomas* himſelfe teacheth; that the Apoſtles Impoſition of Hands cauſed not the comming of the holy Ghoſt, which notwithſtanding was beſtowed together with the exerciſe of that Ceremony; yea by it, (ſaith the Evangeliſt) to wit, as by a meane, which came between the true Agent and the Effect, but not otherwiſe.

Tho. de Verb. q. 27. art. 3. reſp. ad 16. Act. 8. 18.

Many of the ancient Fathers preſuppoſing that the Faithfull before Chriſt had not till the time of his comming, that perfect Life and Salvation which they looked for and we poſſeſſe, thought likewiſe their Sacraments to bee but prefigurations of that which ours in preſent doe exhibite. For which cauſe the *Florentine* Councel comparing the one with the other, ſaith, *that the old did onely ſhaddow grace, which was afterward to bee given through the paſſion of Jeſus Chriſt.* But the after-wit

Quod ad circumciſionem ſequebatur remiſſio, fiebat ratione rei adjunctæ & ratione pacti divini, eodem plane modo quo non ſolum hæretici ſed etiam aliquot

of

of latterdays hath found out another more exquiſite diſtinction, that Evangelicall Sacraments are cauſes to effect grace, through motion of ſignes legall according to the ſame ſignication and ſenſe wherein Evangelical Sacraments are held by us to be Gods Inſtruments for that purpoſe. For howſoever *Bellar.* hath ſhrunk up the *Lutherans* ſinews, and cut off our doctrin by the skirts; *Allen*, although he terme us Heretiques, according to the uſuall bitter venome of his proud ſtile; doth yet ingenuouſly confeſſe, that the old School-mens doctrine and ours is one concerning Sacramentall efficacie, derived from God himſelf aſſiſting by promiſe thoſe outward ſignes of Elements and words, out of which their Schoolmen of the newer mint are ſo deſirous to hatch grace. Where God doth work and uſe theſe outward meanes, wherein hee neither findeth nor planteth force and aptneſſe towards his intended purpoſe, ſuch means are but ſignes to bring men to the conſideration of his omnipotent power, which without the uſe of things ſenſible, would not bee marked. At the time therefore when he giveth his heavenly grace, he applyeth by the hands of his Miniſters, that which betokeneth the ſame, nor onely betokeneth, but being alſo accompanied for ever with ſuch power as doth truly worke, is in that reſpect,

veruſtiores Scholaſtici voluerunt nova Sacramenta conferre gratiam. *Allen de Sacr. in gen. c. 39.*

Bonaventura, Scotus, Durandus, Richardus, Occamus, Marſilius, Gabriel, volunt ſolum Deum producere gratiam ad præſentiam Sacramentorum. Bellarm. de Sacr. in gen. lib. 2. c. 11.

Puto longe probatiorem & tutiorem ſententiam quæ dat Sacramentis verum efficientiam. Primò, quia doctores paſſim docent Sacramenta non agere niſi prius à Deo virtutem ſeu benedictionem, ſeu ſanctificationem accipiant; & referunt effectum Sacramentorum ad omnipotentiam Dei, & conferunt cum veris cauſis efficientibus. Secundò, quia non eſſet differentia inter modum agendi Sacramentorum, & ſignorum Magicorum. Tertiò, quia tunc non eſſet homo Dei Miniſter in ipſa actione Sacramenti, ſed homo præberet ſignum actione ſua, & Deus alia actione uſo eo ſigno infunderet gratiam, ut cum unus oſtenderit ſyngraphan Mercatori, & ille dat pecunias. At Scripturæ docent quod Deus baptizat per hominem. Bel. l. 2. cap. 1.

reſpect, termed Gods inſtrument a true efficient cauſe of Grace; a cauſe not in it ſelf, but onely by connexion of that which is in it ſelf a cauſe, namely Gods owne ſtrength and power. Sacraments, that is to ſay, the outward ſignes in Sacraments, worke nothing till they bee bleſſed and ſanctified by God. But what is Gods heavenly benediction and ſanctification, ſaving onely the aſſociation of his ſpirit? ſhall we ſay that Sacraments are like Magical ſignes, if thus they have their effect? Is it magick for God to manifeſt by things ſenſible what he doth, and to doe by his own moſt glorious ſpirit really, what he manifeſteth in his Sacraments? the delivery and adminiſtration whereof, remaineth in the hands of mortall men, by whom, as by perſonall inſtruments, God doth apply ſignes, and with ſignes inſeparably joyne his ſpirit, and through the power of his ſpirit worke grace. The firſt is by way of concomitance and conſequence to deliver the reſt alſo that either accompany, or enſue. It is not here, as in caſes of mutuall commerce, where divers perſons have divers acts to be performed in their own behalf; a creditor to ſhew his bill, and a debtor to pay his money. But God and man do here meet in one action upon a third, in whom, as it is the work of God to create grace, ſo it is his work by the hand of the Miniſter to apply a ſigne which ſhould betoken, and his work to annex that ſpirit which ſhall effect it. The action therefore is but one, God the Author thereof, and man a copartner by him aſſigned to work for, with, and under him. God the giver of grace, by the outwards Miniſtery of man, ſo far forth as he authorizeth

zeth man to apply the Sacraments of grace in the Soule, which he alone worketh, without either inſtrument or coagent.

Whereas therefore with us the remiſſion of ſin is aſcribed unto God, as a thing which proceedeth from him onely, and preſently followeth upon the vertue of true repentance appearing in man; that which we attribute to the vertue, they doe not onely impute to the Sacrament of repentance; but having made repentance a Sacrament, and thinking of Sacraments as they doe, they are enforced to make the Miniſterie of his Prieſts, and their Abſolution a cauſe of that which the ſole omnipotency of God worketh. And yet for my own part, I am not able well to conceive how their doctrine, That humane Abſolution is really a cauſe out of which our deliverance from ſin doth enſue, can cleave with the Council of *Trent*, defining, *That Contrition perfected with Charitie doth at all times it ſelfe reconcile offendors to God, before they come to receive actually the Sacrament of Penance.* How it can ſtand with thoſe diſcourſes of the learnedſt Rabbies, which grant, *That whoſoever turneth unto God with his whole heart, hath immedialty his ſinnes taken away; that if a man bee truly converted, his pardon can neither bee denied nor delayed*; It doth not ſtay for the Prieſts Abſolution, but preſently followeth. *Surely if every contrite ſinner in whom there is charitie, and a ſincere converſion of heart, have remiſſion of ſins given him, before he ſeek it at the Prieſts hands, if reconciliation to God bee a preſent and immediate ſequel, upon every ſuch converſion or change; it muſt of neceſſitie follow, ſeeing no man can be a true penitent or contrite,*

Conc. Trid. ſeſſ. 14. c. 4.

Bellarm. de pœnit. l. 2. c. 13.

which doth not both love God and ſincerely abhor ſinne; that therefore they all before Abſolution attaine forgiveneſſe; whereunto notwithſtanding Abſolution is pretended a cauſe ſo neceſſary, that ſinne without it, except in ſome rare extraordinary caſe, cannot poſſibly bee remitted. Shall Abſolution be a cauſe producing and working that effect, which is alwayes brought forth without it, and had before Abſolution bee thought? But when they which are thus before hand pardoned of God, ſhall come to bee alſo aſſoiled by the Prieſt, I would know what force his Abſolution hath in this caſe? Are they able to ſay here that the Prieſt doth remit any thing? Yet, when any of ours aſcribeth the worke of Remiſſion to God, and interpreteth the Prieſts ſentence to be but a ſolemne declaration of that which God himſelf hath already performed, they ſcorn at it; they urge againſt it, that if this were true, our Saviour Chriſt ſhould rather have ſaid, *What is looſed in Heaven, yee ſhall looſe on earth*, then as hee doth, *Whatſoever yee looſe on Earth, ſhall in Heaven bee looſed.* As if he were to learn of us how to place his words, and not wee to crave rather of him a ſound and right underſtanding; leaſt to his diſhonour, and our own hurt wee miſexpound them. It ſufficeth I think both againſt their conſtructions to have proved that they ground an untruth on his ſpeech; and in behalfe of our own, that his words without any ſuch tranſpoſition doe very well admit the ſenſe we give them; which is, that he taketh to himſelf the lawfull proceedings of authority in his name, and that the act of ſpirituall authority in this caſe, is by ſentence to acquit or pronounce them free from ſinne, whom

whom they judge to bee ſincerely and truly penitent; which Interpretation they themſelves doe acknowledge though not ſufficient, yet very true.

Hæc expoſitio, Ego te abſolvo, id eſt, Abſolutum oſtendo, parum quidem vera eſt, non tamen perfecta. Sacramenta novæ legis non ſolum ſignificant, ſed efficiunt quod ſignificant. Soto ſent. l. 4. diſt. 14. q. 1. art. 3.

Abſolution they ſay, declareth indeed; but this is not all, for it likewiſe maketh innocent; which addition, being an untruth proved, our truth granted, hath I hope ſufficiency without it; and conſequently our opinion therein, neither to bee challenged as untrue, nor as unſufficient.

To rid themſelves out of theſe briars, and to make Remiſſion of ſinnes an effect of Abſolution, notwithſtanding that which hitherto hath been ſaid, they have two ſhifts; as firſt, that in many penitents, there is but attrition of heart, which attrition they define to bee greife proceeding from feare without love; and to theſe they ſay Abſolution doth give that contrition whereby men are really purged from ſinne. Secondly, that even where contrition or inward repentance doth cleanſe without Abſolution; the reaſon why it commeth ſo to paſſe, is, becauſe ſuch contrites intend and deſire Abſolution, though they have it not. Which two things granted: The one, that Abſolution given,

Attritio ſolum dicit dolorem propter pœnas inferni; dum quis accedit attritus per gratiam Sacramentalem, fit contritus. Soto ſent. 4. diſt. 14. q. 1. art. 1.

Dum accedit vere contritus propter Deum, illa etiam contritio non eſt contritio, niſi quatenus prius naturæ infunditur gratia per Sacramentum in voto. Soto ſent. 4. diſt. 14. q. 1. art. 1.

maketh them contrite that are not. The other, that, even in them which are contrite, the cauſe why God remitteth ſinne, is the purpoſe or deſire they have to receive Abſolution: wee are not to ſtand againſt a ſequel ſo clear and manifeſt as this, that alwayes remiſſion of ſinne proceedeth from Abſolution either had or deſired. But ſhould a reaſonable man give credit to their bare conceit, and becauſe their poſitions have driven them to imagine Abſolving of unſufficiently diſpoſed penitents, to be a reall creating of further vertue in them, muſt all other men think it due? Let them cancell hence forward and blot out of all their bookes thoſe old cautions touching neceſſity of wiſdome, leaſt Prieſts ſhould inconſideratly Abſolve any man in whom there were not apparent tokens of true Repentance; which to doe was in *Cyprians* judgement *peſtilent deceit and flattery, not onely not available, but hurtfull to them that had tranſgreſt; a frivolous, fruſtrate and falſe peace, ſuch as cauſed the unrighteous to truſt to a lye, and deſtroyed them unto whom it promiſed ſafety.* What needeth obſervation whether Penitents have worthines and bring contrition, if the words of Abſolution doe infuſe contrition? have

Legitima contritio votum Sacramenti pro ſuo tempore debet inducere, atque adeo in virtute futuri Sacramenti peccata remittit. Id. art. 3.

Tunc ſententia Sacerdotis judicio Dei, & totius cœleſtis Curiæ approbatur, & confirmatur, cum ita ex diſcretione procedit, ut reorum merita non contradicant. ſent. l. 4. d. 18.

Non eſt periculoſum ſacerdoti dicere, Ego te abſolvo, illis in quibus ſigna contritionis videt, quæ ſunt dolor de præteritis, & præpoſitum de cætero non peccandi; aliàs, abſolvere non debet. *Tho. Opuſc.* 22. *Cypr. de lapſis.*

have they born us all this while in hand, that contrition is a part of the matter of their Sacrament; a condition or preparation of the minde towards grace to bee received by Abſolution in the forme of their Sacrament? and muſt wee now beleeve that the form doth give the matter? that Abſolution beſtoweth contrition, and that the words doe make preſently of *Saul*, *David*, of *Judas*, *Peter*? For what was the penitency of *Saul* and *Judas*, but plain attrition, horrour of ſinne through feare of puniſhment, without any loving ſenſe, or taſte of Gods mercy?

Their other fiction, imputing remiſſion of ſin to deſire of Abſolution from the Prieſt, even in them which are truly contrite, is an evaſion ſomewhat more witty, but no whit more poſſible for them to prove. Belief of the world and judgement to come, Faith in the promiſes and ſufferings of Chriſt for mankinde, feare of his Majeſtie, love of his mercy, griefe for ſinne, hope for pardon, ſuite for grace; theſe we know to bee the Elements of true contrition; ſuppoſe that beſides all this God did alſo command that every penitent ſhould ſeek his Abſolution at the Prieſts hands, where ſo many cauſes are concurring unto one effect, have they any reaſon to impute the whole effect unto one, any reaſon in the choice of that one to paſſe by Faith, feare, love, humility, hope, prayer, whatſoever elſe, and to enthronize above them all a deſire of Abſolution from the Prieſt, as if in the whole worke

worke of mans repentance God did regard and accept nothing but for and in consideration of this? Why doth the *Tridentine* Councel impute it to Charitie, *That contrites are reconciled in Gods sight, before they receive the Sacrament of penance, if desired Absolution bee the true cause*, But let this passe how it will, seeing the question is not what vertue God may accept in penitent sinners, but what grace Absolution actually given doth really bestow upon them. If it were as they will have it, that God regarding the humiliation of a contrite spirit, because there is joyned therewith a lowly desire of the Sacrament of Priestly Absolution, pardoneth immediately and forgiveth all offences: doth this any thing help to prove that Absolution received afterward from the Priest, can more then declare him already pardoned which did desire it? To desire Absolution, presupposing it commanded, is obedience: and obedience in that case is a branch of the vertue of repentance, which vertue being thereby made effectuall to the taking away of sinnes without the Sacrament of repentance, is it not an argument that the Sacrament of Absolution hath here no efficacie, but the vertue of contrition worketh all? For how should any effect ensue from causes which actually are not? The Sacrament must be applied whersoever any grace doth proceed from it. *So that where it is but desired onely, what-*

A reatu mortis æternæ absolvitur homo à Deo per contritionem, manet autem

soever may follow upon Gods acceptation of this desire, the Sacrament

crament afterwards received can bee no cauſe thereof. Therefore the further we wade, the better we ſee it ſtill appeare, that the Prieſt doth never in Abſolution, no not ſo much as by way of Service and Miniſtery, really either forgive them, take away the uncleanneſſe, or remove the puniſhment of ſinne; but if the partie penitent come contrite, he hath by their own grant Abſolution before Abſolution; if not contrite, although the Prieſt ſhould ſeem a thouſand times to abſolve him, all were in vain. For which cauſe, the Antients and better ſort of their School divines, *Abulenſis*, *Alexander Hales*, *Bonaventure*, aſcribe *the reall abolition of ſinne, and eternall puniſhment to the meere pardon of Almighty God without dependency upon the Prieſts Abſolution as a cauſe to effect the ſame.* His Abſolution hath in their doctrine certain other effects ſpecified, but this denyed, Wherefore having hitherto ſpoken of the vertue of Repentance required; of the diſcipline of Repentance which Chriſt did eſtabliſh; and of the Sacrament of Repentance invented ſithence, againſt the pretended force of humane Abſolution in Sacramentall penitency; *Let it ſuffice thus farre to have ſhewed how God alone doth truly give, the vertue of*

reatus ad quandam pœnam temporalem, & Miniſter Eccleſiæ quicunque virtute clavium tollit reatum cujuſdam partis pœnæ illius. *Abul. in deſenſ. per* 1. c. 7.

Signum hujus Sacramenti eſt cauſa effectiva gratiæ ſive remiſſionis peccatorum, non ſimpliciter ſicut ipſa prima pœnitentia, ſed ſecundum quid, quia eſt cauſæ efficaciæ gratiæ qua fit remiſſio peccati, quantum ad aliquem effectum in pœnitente, ad minus quantum ad remiſſionem ſequelæ ipſius peccati, ſcilicet pœnæ. *Alex. p.* 4. *q.* 14. *memb.* 2.

Poteſtas clavium proprie loquendo non ſe extendit ſupra culpam; ad illud quod objicitur To. 22. Quorum remiſeritis peccata, dicendum quod vel illud de remiſſione dicitur quantum ad oſtenſionem.

vel ſolum quantum ad pœnam. *Bon. ſent. l. 1. d. 18. q. 1.* Ab æterna pœna nullo modo ſolvit ſacerdos, ſed à purgatoria; neque hoc per ſe, ſed per accidens, quod cum in pœnitente virtute clavium minuitur debitum pœnæ temporalis, non ita acriter punietur in purgatorio ſicut ſi non eſſet abſolutus. *Sent. lib. 4. d. 18. q. 2.*

Repentance alone procure, and private miniſteriall Abſolution but declare remiſſion of ſins.

Now the laſt and ſometimes hardeſt to bee ſatisfied by Repentance, are our mindes; and our mindes wee have then ſatisfied, when the Conſcience is of guilty become clear. For, as long as we are in our ſelves privy to our own moſt hainous crimes, but without ſenſe of Gods Mercy and Grace towards us, unleſſe the heart bee either brutiſh for want of knowledge, or altogether hardned by wilfull atheiſme; the remorſe of ſinne is in it as the deadly ſting of a Serpent: which point ſince very Infidels and Heathens have obſerved in the nature of ſinne, (for the diſeaſe they felt, though they knew no remedy to help it) wee are not raſhly to deſpiſe thoſe ſentences which are the teſtimonies of their experience touching this point. They knew that the eye of a Mans own Conſcience is more to bee feared by evill doers then the preſence of a thouſand witneſſes, in as much as the mouths of other accuſers are many wayes ſtopt, the ears of the accuſed not alwayes ſubject to glowing with contumely and exprobration; whereas a guilty minde being forced to be ſtill both a Martyr and a Tyrant it ſelfe, muſt of neceſſity endure perpetuall anguiſh and griefe. For, as the body is rent with

with ſtripes, ſo the minde with guiltineſſe of cruelty, luſt, and wicked reſolutions. Which furies brought the Emperour *Tyberius* ſometimes into ſuch perplexity, that writing to the Senate, his wonted art of diſſimulation failed him utterly in this caſe; And whereas it had been ever his peculiar delight ſo to ſpeake that no man might bee able to ſound his meaning, he had not the power to conceale what hee felt through the ſecret ſcourge of an evill Conſcience, though no neceſſity did now enforce him to diſcloſe the ſame. *What to write, or how to write, at this preſent, if I know* (ſaith *Tyberius*) *let the Gods and Goddeſſes, who thus continually eate mee, onely bee worſe to mee then they are.* It was not his Imperiall dignity and power, that could provide a way to protect him againſt himſelfe, the feares and ſuſpition which improbity had bred being ſtrengthned by every occaſion, and thoſe vertues cleane baniſhed which are the onely foundation of ſound tranquillity of minde. For which cauſe, it hath beene truly ſaid, and agreeably with all mens experience, that if the vertuous did excell in no other priviledge, yet farre happier they are then the contrary ſort of men, for that their hopes be alwayes better. Neither are wee to marvaile that theſe things known unto all, doe ſtay ſo few from being Authours of their own woe. For wee ſee by the ancient example of *Joſephs* unkinde brethren, how it commeth to remembrance eaſily when crimes are

once paſt, what the difference is of good from evill, and of right from wrong. But ſuch conſiderations when they ſhould have prevented ſin, were over matcht by inordinate deſires. Are we not bound then with all thankfulneſſe to acknowledge his infinite goodneſſe and mercy, which hath revealed unto us the way how to rid our ſelves of theſe mazes; the way how to ſhake off that yoke, which no fleſh is able to beare; the way how to change moſt griſly horror into a comfortable apprehenſion of heavenly joy?

Whereunto there are many which labour with ſo much the greater difficulty, becauſe imbecillity of minde doth not ſuffer them to cenſure rightly their own doings: Some fearefull leaſt the enormity of their crimes bee ſo impardonable that no repentance can do them good; ſome, leaſt the imperfection of their repentance make it uneffectuall to the taking away of ſinne. The one drive all things to this iſſue, whether they bee not men that have ſinned againſt the *Holy Ghoſt*; The other to this, what repentance is ſufficient to cleare ſinners, and to aſſure them that they are delivered. Such as by errour charge themſelves of unpardonable ſinne, muſt thinke it may bee they deem that impardonable which is not. Our Saviour ſpeaketh indeed of blaſphemy which ſhall never bee forgiven But have they any ſure and infallible knowledge what that blaſphemy is? If not, why are they unjuſt and cruell to their own ſoules imagining certainty of

of guiltineſſe in a crime concerning the very nature whereof they are uncertaine? For mine own part, although where this blaſphemy is mentioned, the cauſe why our Saviour ſpake thereof, was the Phariſees blaſphemy, which was not afraid to ſay, *hee had an uncleane Spirit, and did caſt out Spirits by the power of Beelzebub*; neverthleſſe I dare not preciſely deny but that even the Phariſees themſelves might have repented and been forgiven, and that our Lord Jeſus Chriſt peradventure might but take occaſion at their blaſphemy, which as yet was pardonable, to tell them further of an unpardonable blaſphemy, whereinto hee foreſaw that the Jewes would fall. For it is plaine that many thouſands at the firſt, profeſſing Chriſtian Religion, became afterwards wilfull Apoſtates, moved with no other cauſe of revolt, but meer indignation that the Gentiles ſhould enjoy the benefit of the Goſpel as much as they and yet not bee burthened with the yoke of *Moſes* law. The Apoſtles by preaching had wonne them to Chriſt in whoſe name they embraced with great alacrity the full remiſſion of their former ſins and iniquities, they received by the Impoſition of the Apoſtles hands *that Grace and Power of the Holy Ghoſt* whereby they cured diſeaſes, Propheſied, ſpake with tongues; and yet in the end after all this they fell utterly away, renounced the myſteries of Chriſtian Faith, blaſphemed in their formall abjurations that moſt glorious and

Mat. 12. 31. *Mar.* 3. 30.

Act. 2. 38.

blessed Spirit, the guifts whereof themselves had possest; and by this means sunke their Souls in the gulfe of that unpardonable sinne; where-
Heb. 6. 6. of, as our Lord JESUS CHRIST had told them before hand; so the Apostle at the first appearance of such their revolt, putteth them in minde againe, that falling now to their former blasphemies, their salvation was irrecoverably gone: it was for them in this case impossible to bee renewed by any repentance; because they were now in the state of Sathan and his Angels; the Judge of quick and dead had passed his irrevocable sentence against them. So great difference there is between Infidels unconverted and back-sliders in this manner fallen away, that alwayes wee have hope to reclaime the one which onely hate whom they never knew; but to the other which know and blaspheame, to them that with more then infernall malice accurse both the seene brightnesse of glory which is in him, and in themselves the tasted goodnesse of divine grace, as those execrable Miscreants did, who first received in extraordinary miraculous man-
Heb. 10. 26. ner, and then in outragious sort blasphemed the *Holy Ghost*, abusing *both it and the whole Religion*, which God by it did confirme and magnifie; to such as wilfully thus sinne, after so great light of the Truth and guifts of the Spirit, there remaineth justly no fruit or benefit to be expected by Christs Sacrifice.

For

For all other offendors without exception or ſtint, whether they bee ſtrangers that ſeek acceſſe, or followers that will make returne unto God, upon the tender of their repentance, the grant of his grace ſtandeth everlaſtingly ſigned with his blood in the book of eternall life. That which in this caſe overterrifieth fearfull ſouls, is, a miſconceit whereby they imagine every act which they doe knowing that they doe amiſſe, and every wilfull breach or tranſgreſſion of Gods law, to bee meere ſinne againſt the *Holy Ghoſt*, forgetting that the law of *Moſes* it ſelfe ordained Sacrifices of expiation, aſwell for faults preſumptuouſly committed, as things wherein men offend by errour.

Now there are on the contrary ſide others, who doubting not of Gods mercy toward all that perfectly repent, remaine notwithſtanding ſcrupulous and troubled with continuall fear, leaſt defects in their own repentance be a barre againſt them.

Theſe caſt themſelves firſt into very great, and peradventure needleſſe Agonies through miſconſtruction of things ſpoken about proportioning our griefes to our ſinnes; for which they never thinke they have wept and mourned enough; yea, if they have not alwayes a ſtreame of teares at command, they take it for a heart congealed and hardned in ſinne, when to *Jer. 6. 26. Mich. 1. 8, 9. Lament. 2. 18.*

keep

Quam magna deliquimus, tam graviter deficimus. Alto vulneri diligens & longa medicina non defit, pœnitentia crimine major non sit. Cypr. de lapsis. *Non levi agendum est contritione, ut debita illa redimantur, quibus mors æterna debetur; nec transitoria opus est satisfactione pro malis illis propter quæ paratus est ignis æternus.* Euseb. Emissenus, vel potius Salv. f. 106.

keep the wound of contrition bleeding, they unfold the circumstances of their transgressions, and endeavour to leave nothing which may be heavy against themselves. Yet doe what they can, they are still fearefull, least herein also they doe not that which they ought and might. Come to Prayer, their coldnesse taketh all heart and courage from them with fasting; albeit their flesh should bee withered and their blood clean dried up, would they ever the lesse object, What is this to *Davids* humiliation? wherein notwithstanding there was not any thing more then necessary. In works of Charity and Almsdeeds? it is not all the world can perswade them they did ever reach the poore bounty of the widdowes two mites, or by many millions of leagues come neere to the marke which *Cornelius* touched; so farr they are off from the proud surmise of any penitentiall supererogation in miserable wretched worms of the earth. Notwithstanding for as much as they wrong themselves with over-rigorous and extream exactions, by means whereof they fall sometimes into such perplexities as can hardly bee allayed; it hath therefore pleased Almighty God in tender commiseration over these imbecillities of men, to ordaine for their Spirituall and Ghostly comfort, consecrated per-

Psl. 6. 6.

Mar. 12. 42.
Act. 10. 31.

sons

ſons, which by ſentence of power and authority given from above, may as it were out of his very mouth aſcertain timourous and doubtfull mindes in their own particular, eaſe them of all their ſcrupuloſities, leave them ſetled in peace, and ſatisfied touching the mercy of God towards them. To uſe the benefit of this help for our better ſatisfaction in ſuch caſes, is ſo naturall that it can bee forbidden no man, but yet not ſo neceſſary that all men ſhould bee in caſe to need it.

They are of the two the happier therefore that can content and ſatisfie themſelves by judging diſcreetly what they performe, and ſoundly what God doth require of them. For having that which is moſt materiall, the ſubſtance of Penitency rightly bred touching ſignes and tokens thereof, we may boldly affirme that they doe which imagine for every offence a certaine proportionable degree in the paſſions and griefes of minde, whereunto whoſoever aſpireth not, repenteth in vaine. That to fruſtrate mens Confeſſions and conſiderations of ſinne, except every circumſtance which may aggravate the ſame, bee unripe and laid in the ballance, is a mercileſſe extremity, although it bee true, that, as neere as we can, ſuch wounds muſt be ſearched to the very bottome; laſt of all to ſet down the like ſtint, and to ſhut up the doores of mercy a-

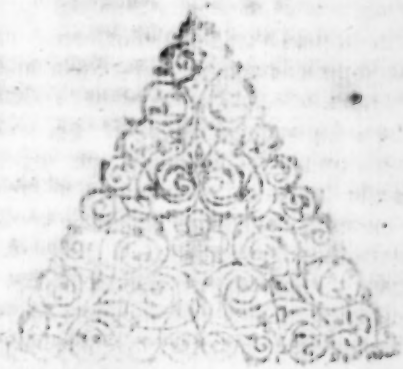
gainſt penitents which come ſhort thereof in the devotion of their prayers, in the continuance of their faſts, in the largeneſſe and bounty of their Almes, or in the courſe of any other ſuch like duties, is more then God himſelf hath thought meet, and conſequently more then mortall men ſhould preſume to doe. That which God doth chiefely reſpect in mens penitency, is their hearts. *The heart is it which maketh repentance ſincere*, ſincerity that which findeth favour in Gods ſight, and the favour of God that which ſupplieth by gracious acceptation whatſoever may ſeem defective in the faithfull, hearty and true offices of his ſervants. Take it (ſaith *Chryſ.*) upon my credit, *Such is Gods mercifull inclination towards men, that repentance offered with a ſingle and ſincere minde, hee never refuſeth, no, not although wee bee come to the very top of iniquitie.* If there bee a will and deſire to return, he receiveth, imbraceth, omitteth nothing which may reſtore us to former happineſſe, yea, that which is yet above all the reſt, albeit wee cannot in the duty of ſatisfying him, attain what we ought, and would, but come farre behinde our marke, hee taketh nevertheleſſe in good worth that little which we doe, bee it never ſo meane, wee looſe not our labour therein. The leaſt and loweſt ſteppe of Repentance in Saint *Chryſoſtomes* judgement ſevereth and ſetteth us above them that periſh in their ſinne. I therefore will end with Saint *Auguſtine*

Jer. 29. 13. Joel 2. 12.

Chryſ. de repar. lapſ. lib. ad Theodor. De pœnit. diſt. 3. c. Talis.

Auguſtines concluſion. *Lord, in thy Booke and Volume of life all ſhall bee written, as well the leaſt of thy Saints, as the cheifeſt.* Let not therefore the unperfect feare; Let them onely proceed and go forward. Aug. in Pſ. 138.

FINIS.



OF THE LAWES OF Eccleſiaſticall Politie:

The eighth Book;

Containing their ſeventh Aſſertion:

That to no civill Prince or Governour, there may be given ſuch power of Eccleſiaſticall Dominion as by the Lawes of this Land belongeth unto the ſupreme Regent thereof.

WE come now to the laſt thing whereof there is controverſie moved, namely *the power of ſupreme juriſdiction*, which for diſtinction ſake we call *the power of Eccleſiaſticall dominion*. It was not thought fit in the *Iewes Common-wealth*, that the exerciſe of *Supremacy Eccleſiaſticall* ſhould be denied unto him, to whom the exerciſe of *Chiefty Civill* did appertaine; and therefore their Kings were inveſted with both. This power they gave unto *Simon*, when they conſented that he ſhould be their Prince, not onely *Maccab.* 14.

to ſet men over their works, and countrey, and weapons, but alſo to provide for the holy things; and that he ſhould be obeyed of every man, and that the writings of the countrey ſhould be made in his name; and that it ſhould not be lawfull for any of the people or Prieſts to withſtand his words, or to call any congregation in the countrey without him. And if happily it be ſurmiſed that thus much was given to *Simon*, as being both Prince and high Prieſt; which otherwiſe (being their *Civill Governor*) he could not lawfully have enjoyed: we muſt note, that all this is no more then the ancient Kings of that People had, being Kings and not Prieſts. By this power, *David*, *Aſa*, *Iehoſaphat*, *Ioſias*, and the reſt, made thoſe Laws and Orders which ſacred Hiſtory ſpeaketh of, concerning matters of meer Religion, the affaires of the Temple, and ſervice of God. Finally had it not been by the vertue of this power, how ſhould it poſſibly have come to paſſe, that the piety or impiety of the Kings did alwayes accordingly change the publique face of Religion; which things the Prophets by themſelves never did, nor at any time could hinder from being done: had the Prieſts alone been poſſeſt of all power in Spirituall affaires, how ſhould any thing concerning matter of Religion have been made but only by them; in them it had been and not in the King to change the face of Religion at any time; the altering of Religion, the making of Eccleſiaſticall Lawes, with other the like actions belonging unto the power of Dominion, are ſtill termed *the deeds of the King*: to ſhew, that in him was placed the ſupremacy of power in this kind over all; and that

unto

unto their Prieſts the ſame was never committed, ſaving onely at ſuch times as the Prieſts were alſo Kings and Princes over them. According to the pattern of which example, the like power in cauſes Eccleſiaſticall is by the Lawes of this Realm annexed unto the Crown; and there are which doe imagine, that Kings being meere Lay-perſons, doe by this means exceed the lawfull bounds of their callings; which thing to the end that they may perſwade, they firſt make a neceſſary ſeparation perpetuall and perſonall between *the Church* and *the Common-wealth*. Secondly, they ſo tie all kind of *power Eccleſiaſticall* unto the *Church*, as if it were in every degree their only right; who are by proper ſpirituall functions termed *Church Governours*, and might not unto *Chriſtian Princes* in any wiſe appertaine. To lurk under ſhifting ambiguities and equivocations of words in matter of principall waight, is childiſh. A Church and a Common-wealth we grant, are things in nature one diſtinguiſhed from the other: a Common wealth is one way, and a Church an other way defined. In their opinions the Church and Common-wealth are corporations, not diſtinguiſhed onely in nature and definition, but in ſubſiſtance perpetually ſevered: ſo that they which are of the one, can neither appoint, nor execute, in whole nor in part, the duties which belong to them which are of the other, without open breach of the Law of God which hath divided them; and doth require, that ſo being divided, they ſhould diſtinctly or ſeverally work, as depending both upon God, and not hanging one upon the others approbation. For that which either hath to doe, we ſay that

the care of Religion being common to all ſocieties Politique, ſuch ſocieties as do embrace the true Religion have the name of the Church given unto every one of them for diſtinction from the reſt: ſo that every body Politique hath ſome Religion, but the Church that Religion which is onely true. *Truth* of Religion is the proper difference whereby a Church is diſtinguiſhed from other Politique ſocieties of men; we here meane true Religion in groſſe, and not according to every particular: for they which in ſome particular points of Religion doe ſever from the truth, may nevertheleſſe truely (if we compare them to men of an heatheniſh Religion) be ſaid to hold and profeſſe that Religion which is true. For which cauſe there being of old ſo many Politique ſocieties ſtabliſhed through the world, onely the Common-wealth of Iſrael which had the truth of Religion, was in that reſpect the Church of God: and the Church of Jeſus Chriſt is every ſuch Politique ſociety of men, as doth in Religion hold that truth which is proper to Chriſtianity. As a Politique ſociety it doth maintain Religion, as a Church, that Religion which God hath revealed by Jeſus Chriſt: with us, therefore the name of a Church importeth onely a ſociety of men, firſt united into ſome publique forme of Regiment, and ſecondly diſtinguiſhed from other ſocieties by the exerciſe of Religion. With them on the other ſide, the name of the Church in this preſent queſtion, importeth not onely a multitude of men ſo united, and ſo diſtinguiſhed, but alſo further, the ſame divided neceſſarily and perpetually from the body of the Com-

mon-

mon-wealth: ſo that even in ſuch a Politique ſociety as conſiſteth of none but Chriſtians, yet the Church and Common-wealth are two Corporations, independently ſubſiſting by it ſelf.

We hold, that ſeeing there is not any man of the Church of *England*, but the ſame man is alſo a member of the Common-wealth; nor any member of the Common-wealth, which is not alſo of the Church of *England*. Therefore, as in a figure Triangle, the Baſe doth differ from the Sides thereof, and yet one and the ſelf ſame Line is both a Baſe and alſo a Side; a Side ſimply, a Baſe if it chance to be the bottom and underly the reſt. So albeit, properties and actions of one doe cauſe the name of a Common-wealth; qualities and functions of another ſort, the name of the Church to be given to a multitude; yet one and the ſelf ſame multitude may in ſuch ſort be both. Nay, it is ſo with us, that no perſon appertaining to the one, can be denied alſo to be of the other: contrariwiſe, unleſſe they againſt us ſhould hold that the Church and the Common-wealth are two, both diſtinct and ſeparate ſocieties; of which two, one comprehendeth alwayes perſons not belonging to the other, (that which they doe) they could not conclude out of the difference between the Church and the Common-wealth, namely that the Biſhops may not meddle with the affaires of the Common-wealth, becauſe they are Governors of another Corporation, which is the Church; nor Kings, with making Lawes for the Church, becauſe they have government not of this Corporation, but of another divided from it; the Common-wealth and the walls of

ſeparation between theſe two, muſt for ever be upheld: they hold the neceſſity of perſonall ſeparation which cleane excludeth the power of one mans dealing with both; we of naturall, but that one and the ſame perſon may in both bear principall ſway.

The cauſes of common received errours in this point ſeeme to have been eſpecially two: one, that they who embrace true Religion, living in ſuch Common-wealths as are oppoſite thereunto; and in other publique affaires, retaining civill communion with ſuch as are conſtrained for the exerciſe of their Religion, to have a ſeverall communion with thoſe who are of the ſame Religion with them. This was the ſtate of the Jewiſh Church both in *Egypt* and *Babylon*; the ſtate of Chriſtian Churches along time after Chriſt. And in this caſe, becauſe the proper affaires and actions of the Church, as it is the Church, hath no dependance on the Lawes, or upon the Government of the Civill State; an opinion hath thereby growne, that even ſo it ſhould be alwayes: this was it which deceived *Allen* in the writing of his Apology; *The Apoſtles* (ſaith he) *did govern the Church in Rome when Nero bare rule, even as at this day in all the Churches dominions: the Church hath a ſpirituall regiment without dependance, and ſo ought ſhe to have amongſt heathens, or with Chriſtians.* Another occaſion of which miſconceit is, That things appertaining to Religion are both diſtinguiſhed from other affairs, and have alwayes had in the Church ſpirituall perſons choſen to be exerciſed about them. By which diſtinction of Spirituall affaires, and perſons therein employed from Temporall, the errour of perſonall ſeparation

ſeparation alwayes neceſſary betweene the Church and Common-wealth hath ſtrengthened it ſelf. For of every Politique ſociety, that being true which *Ariſtotle* ſaith, namely, *That the ſcope thereof is not ſimply to live, nor the duty ſo much to provide for the life, as for means of living well*: And that even as the ſoule is the worthier part of man, ſo humane ſocieties are much more to care for that which tendeth properly to the ſoules eſtate, then for ſuch temporall things which the life hath need of. Other proofe there needeth none to ſhew, that as by all men the kingdom of God is to be ſought firſt, for ſo in all Common-wealths, things ſpirituall ought above temporall to be ſought for; and of things ſpirituall, the chiefeſt is Religion. For this cauſe, perſons and things employed peculiarly about the affaires of Religion, are by an excellency termed ſpirituall. The Heathens themſelves had their ſpirituall lawes, and cauſes, and affaires, alwayes ſevered from their temporall; neither did this make two independent eſtates among them: God by revealing true Religion doth make them that receive it his Church. Unto the *Iewes* hee ſo revealed the truth of Religion, that he gave them in ſpeciall conſiderations, Lawes, not onely for the adminiſtration of things ſpirituall, but alſo temporall. The Lord himſelfe appointing both the one and the other in that Common-wealth, did not thereby diſtract it into ſeverall independent communities, but inſtitute ſeverall functions of one and the ſelf ſame community: ſome reaſons therefore muſt there be already why it ſhould bee otherwiſe in the Church of Chriſt.

Ariſt. polit. lib. 3. cap. 16.

Matth. 7.

Ariſt. pol. lib. 3. cap. 10. Livius lib. 1.

I

Three kinds of their proofes are taken from the difference of affaires and offices,

I ſhall not need to ſpend any great ſtore of words in anſwering that which is brought out of the holy Scripture, to ſhew that Secular and Eccleſiaſticall affaires and offices are diſtinguiſhed; neither that which hath been borrowed from antiquity, uſing by phraſe of ſpeech to oppoſe the Common-weale to the Church of Chriſt: neither yet their reaſons which are wont to be brought forth as witneſſes, that the Church and Common-weale were alwayes diſtinct; for whether a Church or Common-weal do differ, is not the queſtion we ſtrive for; but our controverſie is concerning the kind of diſtinction, whereby they are ſevered the one from the other; whether as under heathen Kings the Church did deale with her owne affaires within her ſelf, without depending at all upon any in Civill authority; and the Common-weal in hers, altogether without the privity of the Church: ſo it ought to continue ſtill even in ſuch Common-weals as have now publiquely embraced the truth of Chriſtian Religion; whether they ought evermore to be two ſocieties in ſuch ſort, ſeverall and diſtinct. I aske therefore what ſociety was that in *Rome*, whereunto the Apoſtle did give the name of the Church of *Rome* in his time? If they anſwer (as needs they muſt) that the Church of *Rome* in thoſe dayes was that whole ſociety of men, which in *Rome* profeſſed the name of Chriſt, and not that Religion which the Lawes of the Common-weal did then authorize; we ſay as much, and therefore grant, that the Common weale of *Rome* was one ſociety, and the Church of *Rome* another, in ſuch ſort that there was between them no mutuall dependence. But when

whole

whole *Rome* became Christian where they all embraced the Gospel, and made Lawes in defence thereof, if it be held that the Church and Common-weale of *Rome* did then remaine as before, there is no way how this could be possible, save only one, and that is, They must restraine the name of a Church in a Christrian Common-weale to the Clergy, excluding all the rest of believers both Prince, and people; For if all that believe be contynued in the name of the Church, how should the Church remaine by personall subsistence divided from the Common-weale, when the whole Common-weale doth believe? The Church and the Common-weale are in this case therefore personally one society, which society being termed a Common-weale as it liveth under whatsoever form of secular Law and Regiment, a Church as it liveth under the spirituall Law of Christ; For so much as these two Lawes containe so many and different Offices, there must of necessy be appointed in it some to one charge, and some to another, yet without deviding the whole, and making it two severall impaled Societies.

The difference therefore either of affairs or offices Ecclesiasticall from secular, is no argument that the Church and Common-Weale are alwayes seperate and independent, the one on the other; which thing even *Allaine* himselfe considering somewhat better, doth in this point a little correct his former judgement before mentioned, and confesseth in his defence of English Catholicks, that the power politicall hath her Princes, Lawes, Tribunalls; the spirituall her Prelates, Canons, Councels, Judgements; and

1 Chron 14.8. 11. Heb 5.1. Allaine, lib 31. p 151.

those (when the temporall Princes are Pagans) wholly separate, but in Christian Common-weals joyned; though not confounded. Howbeit afterwards his former sting appeareth againe; for in a Common-wealth he holdeth, that the Church ought not to depend at all upon the authority of any Civill person whatsoever, as in *England* he saith it doth.

2 Taken from the speeches of the Fathers opposing the one to the other.

It will be objected that the Fathers doe oftentimes mention the Common-weale and the Church of God, by way of opposition. Can the same thing bee opposed to it selfe? If one and the same society be both Church and Common-wealth, what sence can there be in that speech, *that they suffer and flourish together*? what sence is that which maketh one thing to be adjudged to the Church, and another to the Common wealth? Finally, in that which putteth a difference between the causes of the Province and the Church, doth it not hereby appeare, that the Church and the Common-weale, are things evermore personally separate? No, it doth not hereby appeare that there is not perpetually any such separation; wee speak of them as two, wee may sever the rights and the causes of the one well enough from the other, in regard of that difference which we grant is between them, albeit we make no personall difference. For the truth is, that the Church and the Common-wealth, are names which import things really different; but those things are accident, and such accidents as may and alwayes should lovingly dwell together in one subject. Wherefore the reall difference between the accidents signified by these names, doth not prove different subjects for them alwayes

Euseb. de vita Constan. lib. 4. Aug. Epist. 167.

alwayes to reſide in. For albeit the ſubjects wherein they be reſident be ſometimes different, as when the people of God have their reſidence among Infidels; yet the nature of them is not ſuch, but that their ſubject may be one; and therefore it is but a changeable accident in thoſe accidents they are to be divers: There can be no errour in our conceit concerning this point, if we remember ſtill what accident is, for which a ſociety hath the name of a Common-wealth, and what accident that which doth cauſe it to be termed a Church: a Common-wealth, wee name it ſimply in regard of ſome regiment or pollicy under which men live; a Church for the truth of that Religion which they profeſſe. Now names betokening accidents inabſtracted, betoken not only the accidents themſelves, but alſo together with them ſubjects whereunto they cleave. As when we name a School maſter and a Phyſitian, thoſe names doe not only betoken two accidents, teaching and curing, but alſo ſome perſon or perſons in whom thoſe accidents are. For there is no impediment but both may be in one man, as well as they are for the moſt part divers. The Common-weale and the Church therefore being ſuch names, they doe not onely betoken theſe accidents of Civill Government and Chriſtian Religion, which we have mentioned, but alſo together with them ſuch multitudes as are the ſubjects of thoſe accidents Again, their nature being ſuch as they may well enough dwell together in one ſubject, it followeth that their names though alwayes imploying that difference of accidents that hath been ſet down, yet doe not alwayes

imply different ſubjects alſo. When we oppoſe therefore the Church and the Common-wealth in Chriſtian Society, we mean by the Common wealth that Society with relation to all the publike affaires thereof, only the matter of true Religion excepted: By the Church the ſame Society with only reference unto the matter of true Religion, without any affaires; beſides, when that Society which is both a Church and a Common-wealth, doth flouriſh in thoſe things which belong unto it as a Common-wealth, we then ſay, the Common-wealth doth flouriſh; when in both them, we then ſay, the Church and Common-wealth doe flouriſh together.

The Prophet *Eſay* to note corruptions in the Common-wealth, complaineth, *That where juſtice and judgement had lodged, now were murtherers; Princes were become Companions of Theeves, every one loved gifts, and rewards; but the Fatherleſſe was not judged, neither did the widdowes cauſe come before them.* To ſhew abuſes in the Church, *Malachy* doth make his complaint, *Yee offer unclean bread upon mine Altar. If yee offer the blinde for ſacrifice, it is not evill as yee think; if the lame and the ſick, nothing is amiſſe.* The Treaſure which *David* beſtowed upon the Temple, did argue the love which he bare unto the Church: The pains which *Nehemiah* took for building the wals of the City, are tokens of his care for the Common-wealth. Cauſes of the Common-wealth, or Province, are ſuch as *Gallio* was content to be judge of. *If it were a matter of wrong, or an evill deed (O ye Iewes) I would according to reaſon maintaine you.* Cauſes of the Church, are ſuch as *Gallio* there reciteth;

Eſay 1. 21.

Mal. 1. 8.

1 *Chron.* 29. 3.

Nehem. 2. 17.

Act. 18. 14.

If

if it be a queſtion of your Law, look ye to it, I will be no Iudge thereof: In reſpect of this difference therefore the Church and the Common wealth, may in ſpeech be compared or oppoſed aptly enough the one to the other; yet this is no argument, that they are two independent Societies.

Some other reaſons there are which ſeem a little more neerly to make for the purpoſe, as long as they are but heard, and not ſifted: For what though a man being ſevered by Excommunication from the Church, be not thereby deprived of freedom in the city, or being there diſcommoned, is not therefore forthwith Excommunicated and excluded the Church? What though the Church be bound to receive them upon repentance, whom the Common-weale may refuſe againe to admit? If it chance the ſame man to be ſhut out of both, diviſion of the Church and Common-weale which they contend for, will very hardly hereupon follow: For we muſt note that members of a Chriſtian Common-weale have a triple ſtate, a naturall, a civill, and a ſpirituall: No mans naturall eſtate is cut off otherwiſe then by that capitall execution. After which, he that is none of the body of the Common-wealth, doth not I think remaine fit in the body of that viſible Church. And concerning mans civill eſtate, the ſame is ſubject partly to inferiour abatements of liberty, and partly to dimunition in the higheſt degree, ſuch as baniſhment is; ſith it caſteth out quite and clean from the body of the Common-weale, it muſt needs alſo conſequently caſt the baniſhed party even out of the very Church he was of before; becauſe that Church

1. Taken from the effect of punishment inflicted by the one or the other.

and the Common-weale he was of, were both one and the ſame Society; So that whatſoever doth utterly ſeparate a mans perſon from the one, it ſeparateth from the other alſo. As for ſuch abatements of civill eſtate as take away only ſome priviledge, dignity, or other benefit, which a man enjoyeth in the Common-weale, they reach only to our dealing with publike affaires, from which what may let, but that men may be excluded, and thereunto reſtored again without diminiſhing or augmenting the number of perſons, in whom either Church or Common-wealth conſiſteth. He that by way of puniſhment looſeth his voyce in a publike election of Magiſtrates, ceaſeth not thereby to be a Citizen; A man disfranchiſed may notwithſtanding enjoy as a ſubject the common benefit of protection under Laws and Magiſtrates; ſo that theſe inferiour diminutions which touch men civily, but neither doe cleane extinguiſh their eſtates, as they belong to the Common-wealth, or impaire a whit their condition as they are of the Church of God: Theſe I ſay doe clearly prove a difference of the one from the other, but ſuch a difference as maketh nothing for their ſurmiſe of diſtracted Societies.

And concerning Excommunication, it cutteth off indeed from the Church, and yet not from the Common-wealth; howbeit ſo that the party Excommunicate is not thereby ſevered from one body which ſubſiſteth in it ſelfe, and retained by another in like ſort ſubſiſting; but he which before had fellowſhip with that Society whereof he was a member, as well touching things Spirituall as Civill, is now by force

of

of Excommunication, although not ſevered from the body in Civill affaires, nevertheleſſe for the time cut off from it as touching communion in thoſe things which belong to the ſame body, as it is the Church: A man which having been both Excommunicated by the Church, and deprived of Civill dignity in the Common-wealth, is upon his repentance neceſſarily reunited into the one, but not of neceſſity into the other. What then? That which he is admitted unto, is a communion in things Divine, whereof both parts are partakers, that from which hee is with-held, is the benefit of ſome humane previledge, or right, which other Citizens happily enjoy. But are not theſe Saints and Citizens, one and the ſame people, are they not one and the ſame Society? doth it hereby appeare that the Church which received an Excommunicate, can have no dependency ~~on~~ any perſon which ~~of~~ cheiſe Authority and power of theſe things in the Common-wealth, whereunto the ſame party is not admitted. Wherefore to end this point, I conclude; Firſt, that under the dominions of infidels, the Church of Chriſt, and their Common-wealth, were two Societies independent. Secondly, that in thoſe Common-wealths, where the Biſhop of *Rome* beareth ſway, one Society is both the Church and the Common-wealth: But the Biſhop of *Rome* doth devide the body into two divers bodies, and doth not ſuffer the Church to depend upon the power of any civill Prince and Potentate. Thirdly, that within this Realm of *England*, the caſe is neither as in the one, nor as in the other of the former.

on hath

former two, but from the ſtate of Pagans we differ; in that with us one Society is both the Church and Common-wealth, which with them it was not. As alſo from the ſtate of thoſe Nations which ſubjected themſelves to the Biſhop of *Rome*, in that our Church hath dependance from the chiefe in our Common-wealth, which it hath not when he is ſuffered to rule. In a word, our ſtate is according to the pattern of Gods own antient elect people, which people was not part of them the Common-wealth, and part of them the Church of God; but the ſelfe ſame people whole and entire were both under one chiefe Governour, on whoſe Supreame Authority they did all depend. Now the drift of all that hath been alleadged to prove perpetuall ſeparation and independency between the Church and the Common-wealth, is, that this being held neceſſary, it might conſequently be thought fit, that in a Chriſtian Kingdom, he whoſe power is greateſt over the Common-wealth, may not lawfully have ſupremacy of power alſo over the Church, that is to ſay, ſo farre as to order thereby and to diſpoſe of ſpirituall affaires, ſo farre as the higheſt uncommanded Commander in them. Whereupon it is grown a queſtion, whether Government Eccleſiaſticall, and power of Dominion in ſuch degrees as the Law of this Land doe grant unto the Soveraign Governour thereof, may by the ſaid ſupream Governour lawfully be enjoyd and held: For reſolution wherein we are, Firſt, to define what the power of dominion is. Secondly, then to ſhew by what right. Thirdly, after what ſort. Fourthly, in what meaſure. Fiftly, in what

what inconveniency. According to whoſe example Chriſtian Kings may have it. And when theſe generals are opened, to examine afterwards how lawfull that is which wee in regard of Dominion doe attribute unto our own: namely, the title of headſhip over the Church, ſo farre as the bounds of this Kingdome do reach. Secondly, the Prerogative of calling and diſſolving great aſſemblies, about ſpirituall affaires publike. Thirdly, the right of aſſenting unto all thoſe orders concerning Religion, which muſt after be in force as Law. Fourthly, the advancement of principall Church Governours to theirroomes of Prelacy. Fifthly, judiciall Authority higher then others are capable of. And ſixthly, exemption from being puniſhable with ſuch kind of Cenſures as the platform of Reformation doth teach, that they ought to be ſubject unto.

What the Power of Dominion &c.

WIthout order there is no living in publike Society, becauſe the want thereof is the mother of confuſion, whereupon diviſion of neceſſity followeth, and out of diviſion, deſtruction. The Apoſtle therefore giving inſtruction to publike Societies, requireth that all things be orderly done: Order can have no place in things, except it be ſettled amongſt the perſons that ſhall by office be converſant about them. And if things and perſons be ordered, this doth imply that they are diſtinguiſhed by degrees. For order is a graduall diſpoſition: The whole world conſiſting of parts ſo many, ſo *Luke 22.* 1 *Cor.* 14.

different, is by this only thing upheld; hee which framed them hath set them in order: The very Deity it self both keepeth and requireth for ever this to be kept as a Law, that whersoever there is a co-augmentation of many, the lowest be knit unto the highest, by that which being interjacent, may cause each to cleave to the other, and so all to continue one. This order of things and persons in publike Societies, is the work of Policie, and the proper instrument thereof in every degree in power, power being that hability which we have of our selves, or receive from others for performance of any action. If the action which we have to perform be conversant about matters of meer Religion, the power of performing it is then spirituall; And if that power be such as hath not any other to over-rule it, we terme it Dominion, or Power Supream; so farre as the bounds thereof extend. When therefore Christian Kings are said to have Spirituall Dominion or Supream Power in Ecclesiasticall affaires and causes, the meaning is, that within their own Precincts and Territories, they have an Authority and Power to command even in matters of Christian Religion, and that there is no higher nor greater that can in those cases over-command them, where they are placed to raign as Kings. But withall we must likewise note that their power is termed supremacy, as being the highest, not simply without exception of any thing. For what man is so brain-sick, as not to except in such speeches God himselfe the King of all Dominion? who doubteth, but that the King who receiveth it, must hold it of, and order the Law according to

that

that old axiome, *Attribuat Rex legi, quod lex attribuit ei poteſtatem*: And againe, *Rex non debet eſſe ſub homine, ſed ſub deo & lege.* Thirdly, whereas it is altogether without reaſon, *That Kings are judged to have by vertue of their Dominion, although greater power then any, yet not then all the ſtate of thoſe Societies conjoyned, wherein ſuch Soveraign rule is given them*; there is not any thing hereunto to the contrary by us affirmed, no not when we grant ſupream Authority unto Kings; becauſe Supremacy is not otherwiſe intended or meant to exclude partly forraign powers, and partly the power which belongeth in ſeverall unto others, contained as parts in that politick body, over which thoſe Kings have Supremacy; *where the King hath power of Dominion, or Supream Power, there no forraine State, or Potentate, no State or Potentate Domeſticall, whether it conſiſteth of one or many, can poſſibly have in the ſame affaires and cauſes Authority higher then the King.* Power of Spirituall Dominion, therefore is in cauſes Eccleſiaſticall that ruling Authority, which neither any forraign State, nor yet any part of that politick body at home, wherein the ſame is eſtabliſhed, can lawfully over rule. It hath been declared already in generall, how *the beſt eſtabliſhed Dominion is, where the Law doth moſt rule the King*; the true effect whereof particularly is found as well in Eccleſiaſticall as civill affaires: In theſe the King, through his Supream Power, may doe ſundry great things himſelf, both appertaining to Peace and Warre, both at home, and by command, and by commerce with States abroad, becauſe the Law doth ſo much permit. Sometimes on the otherſide, *The*

King alone hath no right to doe without consent of his Lords and Commons in Parliament: The King himself cannot change the nature of Pleas, nor Courts, no not so much as restore blood; becauſe the Law is a barre unto him; the poſitive Lawes of the Realm have a priviledge therein, and reſtraine the Kings Power; which poſitive Lawes, whether by cuſtome or otherwiſe eſtabliſhed without repugnancy to the Lawes of God, and nature, ought not leſſe to be in force even in ſupernaturall affaires of the Church, whether in regard of Eccleſiaſticall Lawes, we willingly embrace that of *Ambroſe, Imperator bonus intra Eccleſiam, non ſupra Eccleſiam eſt. Kings have Dominion to exerciſe in Eccleſiaſticall cauſes, but according to the Lawes of the Church*; whether it bee therefore the nature of Courts, or the form of Pleas, or the kinde of Governours, or the order of proceeding in whatſoever buſineſſe, for the received Laws and Liberty of the Curch, *The King hath Supream Authority and power, but againſt them never*; What ſuch poſitive Lawes have appointed to be done by others then the King, or by others with the King, and in what form they have appointed the doing of it, the ſame of neceſſity muſt bee kept; neither is the Kings ſole Authority to alter it; yet as it were a thing unreaſonable, if in civill affaires the King, albeit the whole univerſall body did joyn with him, ſhould doe any thing by their abſolute power for the ordering of their ſtate at home, in prejudice of thoſe antient Lawes of Nations, which are of force throughout all the World, becauſe the neceſſary commerce of Kingdomes dependeth on them: So in principall matters belonging

belonging to Chriſtian Religion, a thing very ſcandalous and offenſive it muſt needs be thought, if either Kings or Lawes ſhould diſpoſe of the Law of God, without any reſpect had unto that which of old hath beene reverently thought of throughout the World, and wherein there is no Law of God which forceth us to ſwerve from the wayes wherein ſo many and holy Ages have gone: Wherefore not without good conſideration, the very Law it ſelfe hath provided, *That Iudges Eccleſiaſtiall appointed under the Kings Commiſsion, ſhall not adjudge for hereſie any thing but that which heretofore hath been adjudged by the Authority of the Canonicall Scriptures, or by the firſt foure generall Councels, or by ſome other generall Councell, wherein the ſame hath been declared hereſy, by the expreſſe words of the ſaid Canonicall Scriptures, or ſuch as hereafter ſhall be determined to be hereſie by the High Court of Parliament of this Realm, with the aſſent of the Clergy in the Convocation*, *Ann.* 1. *Reg. Eliz.* By which words of the Law, who doth not plainly ſee, how that in one branch of proceeding by vertue of the Kings Supream Authority, the credit which thoſe foure firſt generall Councels have throughout all Churches, and evermore had, was judged by the making of the foreſaid Act a juſt cauſe wherefore they ſhould bee mentioned in that caſe, as a requiſite part of that rule wherewith Dominion was to be limited. But of this wee ſhall further conſider, when wee come unto that which Soveraigne Power may doe in making Eccleſiaſticall Lawes.

Unto which Supream Power in Kings, two kinds

of Adversaries there are which have opposed themselves: one sort defending *that Supreame power in causes Ecclesiasticall throughout the world, appertaineth of Divine Right to the Bishop of Rome*: Another sort, *That the said Power belongeth in every Nationall Church unto the Clergy thereof assembled*. We which defend as well against the one, as against the other, *That Kings within their own Precincts may have it*, must shew by what right it must come unto them. First, unto me, it seemeth almost out of doubt and controversie, that every independent multitude before any certaine form of Regiment established, hath under God Supream Authority, full Dominion over it selfe, even as a man not tyed with the band of subjection as yet unto any other, hath over himselfe the like power. God creating mankinde, did endue it naturally with power to guide it selfe, in what kinde of Society soever he should chuse to live. A man which is borne lord of himselfe, may be made an others servant. And that power which naturally whole societies have, may bee derived unto many, few, or one; under whom the rest shall then live in subjection: Some multitudes are brought into subjection by force, as they who being subdued, are faine to submit their necks unto what yoak it pleaseth their Conquerors to lay upon them; which Conquerors by just and lawfull Warres doe hold their Power over such multitudes, as a thing descending unto them; Divine Providence it selfe so disposing. For it is God who giveth victory in the day of Warre, and unto whom Dominion in this sort is derived, the same they enjoy according to the Law of Nations; which

The Right which men give, God ratifies.

Law

Law Authorizeth Conquerours to raign as abſolute Lords over them whom they vanquiſh. Sometimes it pleaſeth God himſelfe by ſpeciall appointment to chuſe out and nominate ſuch, as to whom Dominion ſhall be given; which thing he did often in the Common-wealth of *Iſrael*: They which in this ſort receive power immediately from God, have it by meer Divine Right; they by humane, on whom the ſame is beſtowed, according to mens diſcretion, when they are left freely by God to make choiſe of their own Governours. By which of theſe meanes ſoever it happen, that Kings or Governours be advanced unto their Eſtates, we muſt acknowledge both their lawfull choiſe to be approved of God, and themſelves to be Gods Lieutenants; and confeſſe their Power which they have to be his. As for Supream Power in Eccleſiaſticall affaires, the Word of God doth no where appoint that all Kings ſhould have it, neither that any ſhould not have it; for which cauſe it ſeemeth to ſtand altogether by humane Right, that unto Chriſtian Kings there is ſuch Dominion given.

Corona eſt poteſtas delegata à deo. Bracton.

Againe, on whom the ſame is beſtowed at mens diſcertions, they likewiſe do hold it by Divine Right: If God in his revealed Word, hath appointed ſuch Power to be, although himſelfe extraordinarily beſtow it not, but leave the appointment of perſons to men; yea, albeit God doe neither appoint nor aſſign the perſon: nevertheleſſe, when men have aſſigned and eſtabliſhed both, who doth doubt but that ſundry duties and affaires depending thereupon are preſcribed by the Word of God, and conſequently by that very right to be exacted? for example

ſake,

ſake, the power which *Romane* Emperours had over forraine Provinces, was not a thing which the Law of God did ever Inſtitute: Neither was *Tiberius Cæſar* by eſpeciall commiſſion from heaven therewith inveſted, and yet paiment of Tribute unto *Cæſar* being now made Emperour, is the plaine Law of Jeſus Chriſt: unto Kings by humane Right, honour by very Divine Right, is due; mans Ordinances, are many times propoſed as grounds in the Satutes of God: And therefore of what kinde ſoever the meanes bee, whereby Governours are lawfully advanced to their States, as wee by the Lawes of God, ſtand bound meekly to acknowledge them for Gods Lieutenants; and to confeſſe their Power his: So by the ſame Law they are both authorized, and required to uſe that Power as farre as it may be in any State availeable to his honour. The Law appointeth no man to be a husband; but if a man hath betaken himſelfe unto that condition, it giveth him Power & Authority over his own wife. That the Chriſtian world ſhould be ordered by the Kingly Regiment, the Law of God doth not anywhere command: and yet the Law of God doth give them, which once are exalted unto that place of Eſtate, right to exact at the hands of their Subjects generall obedience in whatſoever affaires their Power may ſerve to command, and God doth ratifie works of that Soveraign Authority, which Kings have received by men. This is therefore the right whereby Kings doe hold their Power; but yet in what ſort the ſame doth reſt and abide in them, it ſomewhat behoveth further to ſearch, wherein that wee be not

enforced

enforced to make overlarge diſcourſes about the different conditions of Soveraign or Supream Power; that which we ſpeak of Kings ſhall be in reſpect of the State, and according to the nature of this Kingdom, where the People are in no ſubjection, but ſuch as willingly themſelves have condeſcended unto for their own moſt behoofe and ſecurity. In Kingdoms therefore of this quality, the higheſt Governour hath indeed univerſall Dominion, but with dependency upon that whole entire body, over the ſeverall parts whereof hee hath Dominion: ſo that it ſtandeth for an axiome in this caſe; The King is *Major ſingulis, univerſis minor.* The Kings dependency, we doe not conſtrue as ſome have done, who are of opinion that no mans birth can make him a King, but every particular perſon advanced to ſuch Authority, hath at his entrance into his Raign, the ſame beſtowed on him as an eſtate in condition by the voluntary deed of the people, in whom it doth lie to put by any one, and to preferre ſome other before him, better liked of or judged fitter for the place, and that the party ſo rejected hath no injury done unto him; no although the ſame be done in a place where the Crown doth goe μετὰ γένος by ſucceſſion, and to a perſon which is capitall and hath apparently if blood be reſpected the neareſt right. They plainly affirm in all well appointed Kingdomes, the cuſtome evermore hath been, and is, that children ſucceed not their Parents, till the People after a ſort have created them anew, neither that they grow to their Fathers as naturall and proper Heirs, but are then to bee reckoned for Kings, when at the hands of ſuch as

Iunius Brutus vindic. pag. 83.

repreſent the Kings Majeſty, they have by a Scepter and a Diadem received, as it were, the inveſture of
Pag. 85. Kingly power: Their very words are, *That where ſuch power is ſettled into a family or kindred, the ſtock it ſelf is thereby choſen, but not the twig that ſpringeth of it. The next of the ſtocke unto him that raigneth, are not through nearneſſe of bloud made Kings, but rather ſet forth to ſtand for the kingdome; where Regall Dominion is hereditary, it is notwithſtanding (if we looke to the perſons which have it) altogether elective.* To this purpoſe are ſelected heaps of Scriptures concerning the ſolemne Coronation or Inauguration of *Saul*, of *David*, of *Solomon*, and others, by the Nobles, Ancients, and people of the Common-weale of Iſrael; as if theſe ſolemnities were a kind of deed, whereby the right of Dominion is given, with ſtrange, untrue, and unnaturall conceits, ſet abroad by ſeedſ-men of Rebellion, onely to animate unquiet ſpirits, and to feed them with poſſibility of aſpiring to Thrones, if they can win the hearts of the people, what hereditary title ſoever any other before them may have. I ſay unjuſt and inſolent poſitions, I would not mention, were it not thereby to make the countenance of truth more orient; for unleſſe we will openly proclaime defiance unto all law, equity, and reaſon, we muſt (there is no remedy) acknowledge, that in kingdomes hereditary, birth giveth right unto ſoveraigne Dominion; and the death of the predeceſſour putteth the ſucceſſour by bloud in ſeiſin. Thoſe publique ſolemnities before ſpecified, doe but ſerve for an open teſtification of the inheritours right, or belong unto the forme of inducting him into poſ-

ſeſſion

ſeſſion of that thing he hath right unto: therefore, in caſe it doth happen, that without right of bloud a man in ſuch wiſe be poſſeſſed, all theſe new elections and inveſtings are utterly void; they make him no indefeaſible eſtate, the inheritour by blould may diſpoſſeſſe him as an uſurper. The caſe thus ſtanding, albeit wee judge it a thing moſt true, that Kings, even inheritours, doe hold their right in the power of Dominion, with dependency upon the whole body politique, over which they have rule as Kings; yet ſo it may not be underſtood as if ſuch dependency did grow, for that every ſupreme Governour doth perſonally take from thence his power by way of gift, beſtowed of their owne free accord upon him at the time of his entrance into the ſaid place of his ſoveraigne Government. But the cauſe of dependency is that firſt originall conveyance, when power was derived from the whole into one; to paſſe from him unto them, whom out of him nature by lawfull births ſhould produce, and no naturall or legall inability make uncapable: *Neither can any man with reaſon thinke, but that the firſt inſtitution of Kings, a ſufficient conſideration wherefore their power ſhould alwayes depend on that from which it did alwayes flow by originall influence of power, from the body into the King, is the cauſe of Kings dependency in power upon the body.* By dependency we mean ſubordination and ſubjection: A manifeſt token of which dependency may be this; as there is no more certaine argument, that lands are held under any as Lords, then if we ſee that ſuch lands in defect of heirs fall unto them by eſcheat: In like manner it

Tully de Offic.

doth follow rightly, that seeing Dominion when there is none to inherit it, returneth unto the body; therefore, they which before were inheritours thereof, did hold it with dependency upon the body, so that by comparing the body with the head, as touching power, it seemeth alwayes to reside in both; fundamentally and radically in the one, in the other derivatively; in the one the habit, in the other the act of power. May a body politique then at all times, withdraw in whole or in part the influence of Dominion which passeth from it, if inconveniences doe grow thereby? It must be presumed, that supreme Governours will not in such case oppose themselves, and be stiffe in detaining that, the use whereof is with publique detriment: but surely without their consent I see not how the body by any just meanes should be able to help it self, saving when Dominion doth escheat; such things therefore must be thought upon before hand, that Power may be limited ere it be granted, which is the next thing we are to consider.

In what measure.

IN power of Dominion, all Kings have not an equall latitude: Kings by conquest make their owne Charter; so, that how large their power, either Civill or Spirituall, is, we cannot with any certainty define further, then onely to set them in the line of the law of God and Nature for bounds. Kings by Gods own speciall appointment, have also that largenesse of power which he doth assigne or permit with approbation touching Kings which were first instituted by agree-

agreement and compoſition made with them over whom they raigne, how farre their power may extend; the Articles of compact betweene them is to ſhew, not onely the Articles of compact at the firſt beginning, which for the moſt part are either cleane worne out of knowledge, or elſe known to very few; but whatſoever hath been after in free and voluntary manner condiſcended unto, whether by expreſſe conſent, (whereof poſitive lawes are witneſſes,) or elſe by ſilent allowance, famouſly notified through cuſtome, reaching beyond the memory of man. By which meanes of after agreement, it cometh many times to paſſe in Kingdomes, that they whoſe ancient predeceſſours were by violence and force made ſubject, do by little and little grow into that ſweet forme of Kingly Government, which Philoſophers define, *Regency willingly ſuſtained, and indued with Chiefty of power in the greateſt things.* Many of the ancients in their writings do ſpeak of Kings with ſuch high and ample termes, as if univerſality of power, even in regard of things and not of perſons, did appertaine to the very being of a King: The reaſon is, becauſe their ſpeech concerning Kings, they frame according to the ſtate of thoſe Monarchs, to whom unlimited authority was given; which ſome not obſerving, imagine, that all Kings, even in that they are Kings, ought to have whatſoever power they judge any ſoveraigne Ruler lawfully to have enjoyed. But the moſt judicious Philoſopher, whoſe eye ſcarce any things did eſcape which was to be found in the boſome of nature, he conſidering how farre the power of one ſoveraign Ruler may be different from another

Arist. pol. lib. 3. cap. 1.

Pythagoras apud Iordan. de regno.

Regall authority, noteth in *Spartan* Kings, *That of all others they were most tyed to Law, and so the most restrained Power.* A King which hath not supreme power in the greatest things, is rather intituled a King, then invested with reall Soveraignty. We cannot properly terme him a King, of whom it may not be said, at the least wise, as touching certaine the chiefest affaires of the State, ἄρχειν ἄρχεσθαι ὑπὸ οὐδενὸς, his right in them is to have rule, not subject to any other predominancy. I am not of opinion, that simply in Kings the most, but the best limited power is best, both for them and the people: the most limited is that which may deale in fewest things: the best, that which in dealing is tyed unto the soundest, perfectest, and most indifferent Rule, which rule is the Law: I meane not onely the law of Nature, and of God; but the Nationall law consonant thereunto. *Happier that people whose Law is their King in the greatest things, then that whose King is himselfe their Law: where the King doth guide the State, and the Law the King, that Common-wealth is like an harp or melodious instrument, the strings whereof are tuned and handled all by one hand, following as Lawes, the Rules and Canons of Musicall science.* Most divinely therefore *Archytas* maketh unto publique felicity these four steps and degrees, every of which doth spring from the former as from another cause, ὁ δὲ βασιλεὺς νόμιμος, ὁ δὲ ἄρχων ἀκόλουθος, ὁ δὲ ἀρχόμενος ἀπόλυπος, ἡ δὲ ὅλη χοινωνία εὐδαίμων. *The King ruling by Law, the Magistrate following, the Subject free, and the whole society happy.* Adding on the contrary side, that where this order is not, it cometh by transgression thereof to passe that a King groweth

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a Tyrant; he that ruleth under him abhorreth to be guided by him or commanded; the people ſubject unto both, have freedome under neither, and the whole community is wretched. In which reſpect, I cannot chuſe but commend highly their wiſdome, by whom the foundations of the Common-wealth have been laid; wherein, though no manner of perſon, or cauſe be unſubject unto the Kings power, yet ſo is the power of the King over all, and in all limited, that unto all his proceedings the Law it ſelfe is a rule. The Axiomes of our Regall government are theſe, *Lex facit Regem*: The Kings grant of any favour made contrary to Law, is void. *Rex nihil poteſt niſi quod jure poteſt*: Our Kings therefore, when they are to take poſſeſſion of the crown they are called unto, have it pointed out before their eyes, even by the very ſolemnities and rites of their inauguration, to what affaires by the ſame Law their ſupreme power and authority reacheth; crowned we ſee they are, enthronized and anointed; the Crown a ſigne of a Military Dominion; the Throne of Sedentary or Judiciall; the Oyl of Religious and Sacred Power. It is not on any ſide denyed, that Kings may have authority in ſecular affaires. The queſtion then is, *What power they may lawfully have, and exerciſe in cauſes of God. A Prince, or Magiſtrate, or a Community*, (ſaith Dr. *Stapleton*) *may have power to lay corporall puniſhment on them which are teachers of perverſe things; power to make lawes for the peace of the Church; power to proclaim, to defend, and even by revenge to preſerve* dogmata *the very Articles of Religion themſelves from violation.* Others in affection no leſſe devoted unto the Papacy, doe

Stapl. de Doctr. principi. l. 5. c. 17.

doe likewiſe yeeld, that the Civill Magiſtrate may by his Edicts and Lawes keep all Eccleſiaſticall perſons within the bounds of their duties, and conſtrain them to obſerve the Canons of the Church, to follow the rule of ancient Diſcipline. That if *Ioaſh* was commended for his care and proviſion concerning ſo ſmall a part of Religion, as the Church treaſure; it muſt needs be both unto Chriſtian Kings themſelves greater honour, and to Chriſtianity a larger benefit, when the cuſtody of Religion, and the worſhip of God in generall is their charge. If therefore all theſe things mentioned, be moſt properly the affaires of Gods Eccleſiaſticall cauſes; if the actions ſpecified be works of power; and if that power be ſuch as Kings may uſe of themſelves, without the fear of any other power ſuperiour in the ſame thing; it followeth neceſſarily, that Kings may have ſupreme power, not onely in Civill, but alſo in Eccleſiaſticall affaires; and conſequently, that they may withſtand what Biſhop, or Pope ſoever ſhall under the pretended claime of higher Spirituall authority, oppoſe themſelves againſt their proceedings. But they which have made us the former grant, will never hereunto condeſcend; what they yeeld that Princes may do, it is with ſecret exception alwayes underſtood, if the Biſhop of *Rome* give leave, if hee interpoſe no prohibition; wherefore, ſomewhat it is in ſhew, in truth nothing which they grant. Our owne Reformers doe the very like, when they make their diſcourſe in generall, concerning the authority which Magiſtrates may have, a man would think them to be farre from withdrawing any jot of that, which with reaſon

reason may be thought due. *The Prince and Civil Magistrate* (saith one of them) *hath to see the lawes of God, touching his worship, and touching all matters, and all orders of the Church to be executed, and duly observed; and to see every Ecclesiasticall person doe that office, whereunto he is appointed; and to punish those which faile in their office accordingly.* Another acknowledgeth, *That the Magistrate may lawfully uphold all truth by his Sword, punish all persons, enforce all to their duties towards God and men; Maintaine by his Lawes, every point of Gods word, punish all vice in all men; see into all causes, visit the Ecclesiasticall estate, and correct the abuses thereof: Finally to looke to his Subjects, that under him they may lead their lives in all godlinesse and honesty.* A third more frankly professeth, *That in case their Church Discipline were established, so little it shortneth the armes of soveraigne Dominion in causes Ecclesiasticall, that her gracious Majesty for any thing they teach or hold to the contrary, may no lesse then now remaine still over all persons, in all things supreme Governesse; even with that full and Royall authority, superiority, and preheminence, supremacy, and prerogative, which the Lawes already established doe give her; and her Majesties Injunctions, and the Articles of the Convocation house, and other writings Apologeticall of her Royall Authority, and supreme Dignity, doe declare and explaine.* *Possidonius* was wont to say of the Epicure, *That he thought there were no Gods, but that those things which he spake concerning the Gods, were onely given out for feare of growing odious amongst men: and therefore that in words he left Gods remaining, but in very deed overthrew them, in so much as hee gave them no kind of action.*

T. C. l. 1. p. 192.

Farmers def. of the godly Magistrate.

Humble motion pag. 63.

Cicero lib. 1. de nat. Deor.

After the very selfe same manner, when we come unto those particular effects, Prerogatives of Dominion which the Lawes of this Land doe grant unto the Kings thereof, it will appeare how these men, notwithstanding their large and liberall speeches, abate such parcels out of the afore alleadged grant and flourishing shew, that a man comparing the one with the other, may halfe stand in a doubt, least their opinion in very truth bee against that Authority, which by their speeches they seeme mightily to uphold, partly for the voyding of publike obloquy, envie and hatred, partly to the intent they may both in the end by the establishment of their Discipline, extinguish the force of Supream Power, which Princes have, and yet in the meane while, by giving forth these smooth Discourses, obtaine that their favourers may have somewhat to alleadge for them by way of apology, and that such words only sound towards all kinde of fulnesse of Power. But for my selfe, I had rather construe such their contradictions in the better part, and impute their generall acknowledgment of the lawfulnesse of Kingly Power, unto the force of truth, presenting it selfe before them sometimes above their particular contrarieties, oppositions, denyalls, unto that errour which having so fully possest their minds, casteth things inconvenient upon them; of which things in their due place. Touching that which is now in hand, we are on all sides fully agreed, First, that there is not any restraint or limitation of matter for regall Authority and Power to be conversant in, but of Religion onely; and of whatsoever cause thereunto apper-

appertaineth Kings may lawfully have charge, they lawfully may therein exercise Dominion, and use the temporall sword. Secondly, that some kinde of actions conversant about such affaires are denyed unto Kings: As namely, actions of Power and Order, and of Spirituall Jurisdiction, which hath with it inseparably joyned Power to administer the Word and Sacraments, power to Ordaine, to judge as an Ordinary, to binde and loose, to Excommunicate, and such like. Thirdly, that even in those very actions, which are proper unto Dominion, there must be some certain rule whereunto Kings in all their proceedings ought to be strictly tyed; which rule for proceeding in Ecclesiasticall affaires and causes by Regall Power, hath not hitherto been agreed upon with such uniform consent, and certainty as might be wished. The different sentences of men herein I will now goe about to examine, but it shall be enough to propose what rule doth seem in this case most reasonable.

Kinds.

By what rule.

The case of deriving Supream Power from a whole intire multitude into some speciall part thereof; as partly the necessity of expedition in publike affaires, partly the inconvenience of confusion and trouble, where a multitude of equals dealeth; and partly the dissipation which must needs ensue in companies, where every man wholy seeketh his own particular (as we all would doe even with other mens hurts) and haply the very overthrow of themselves in the end also; if for the procurement of the common good of all men, by keeping every severall man in order, some were not invested with Authority over all, and encouraged with Prerogative honour to

ſuſtaine the weighty burthen of that charge. The good which is proper unto each man belongeth to the common good of all, as part to the whole perfection; but theſe two are things different; for men by that which is proper, are ſevered; united they are by that which is common; wherefore, beſides that which moveth each man in particular to ſeek his private, there muſt be of neceſſity in all publike Societies alſo a generall mover, directing unto common good, and framing every mans particular unto it. The end whereunto all government was inſtituted, was *Bonum publicum*, *the univerſall or common good.* Our queſtion is of Dominion, for that end and purpoſe derived into one; ſuch as all in one publike State have agreed, that the Supream charge of all things ſhould be committed unto one: they I ſay, conſidering what inconveniency may grow, where States are ſubject unto ſundry Supream Authorities, have for feare of theſe inconveniences withdrawn from liking to eſtabliſh many; ἐκ δυοῖν πολυκοιρανίη, the multitude of ſupreame Commanders is troubleſome. *No man* (ſaith our Saviour) *can ſerve two Maſters*; ſurely, two ſupream Maſters would make any ones ſervice ſomewhat uneaſy in ſuch caſes as might fall out. Suppoſe that to morrow the Power which hath Dominion in juſtice, require thee at the Court; that which in Warre, at the Field; that which in Religion, at the Temple; all have equall Authothority over thee; and impoſſible it is, that then in ſuch caſe thou ſhouldſt bee obedient unto all: By chuſing any one whom thou wilt obey, certaine thou art for thy diſobedience to incurre

Ob utilitatem publicam reip. per unum conſuli oportere, prudentiſſimi docent.
I. C. II. F. de origine juris Civilis.

incurre the diſpleaſure of the other two.

But there is nothing for which ſome comparable reaſon or other may not be found; are we able to ſhew any commendable State of Government, which by experience and practiſe hath felt the benefit of being in all cauſes ſubject unto the Supream Authority of one? againſt the policy of the *Iſraelites*, I hope there will no man except, where *Moſes* deriving ſo great a part of his burthen in Government unto others, did notwithſtanding retaine to himſelf univerſall Supremacy; *Iehoſaphat* appointing one to be choſen in the affaires of God, and another in the Kings affaires, did this as having Dominion over them in both. If therefore from approbation of heaven, the Kings of Gods own choſen people had in the affaires of Jewiſh Religion Supreame Power, why not Chriſtian Kings the like alſo in Chriſtian Religion? Firſt, unleſſe men will anſwer as ſome have done, *That the Iewes Religion was of far leſſe perfection and dignity then ours, ours being that truth whereof theirs was but a ſhadowiſh preſigurative reſemblance.* Secondly, *That all parts of their Religion, their Laws, their Sacrifices, and their Rights, and Ceremonies, being fully ſet down to their hands, and needing no more, but only to be put in execution; the Kings might well have higheſt Authority to ſee that done; whereas with us, there are a number of Myſteries even in beleif, which were not ſo generally for them, as for us neceſſary to be with ſound expreſſe acknowledgement underſtood: a number of things belonging to externall Government, and our manner of ſerving God, not ſet down by particular Ordinances, and delivered to us in writing, for*

According to what example.

Stapl. de prin. Doct. pag. 197.

Stapl. Ib.

which cauſe the State of the Church doth now require, that the Spirituall Authority of Eccleſiaſticall perſons be large, abſolute and not ſubordinate to Regall power. Thirdly, *That whereas God armeth Religion Iewiſh as Temporall Chriſtian with the ſword; But of Spirituall puniſhment, the one with power to impriſon, to ſcourge, to put to death: The other with bare authority to Cenſure and Excommunicate: There is no reaſon that the Church which hath no viſible ſword, ſhould in Regiment bee ſubiect unto any other power, then only unto theirs which have authority to binde and looſe.* Fourthly, *that albeit whiſt the Church was reſtrained into one people, it ſeemed not incommodious to grant their King the generall Chiefty of Power; yet now the Church having ſpread it ſelfe over all Nations, great inconveniences muſt thereby grow, if every Chriſtian King in his ſeveral Territory ſhould have the like power.* Of all theſe differences, there is not one which doth prove it a thing repugnant to the Law, either of God, or of nature, that all ſupremacie of externall power be in Chriſtian Kingdoms granted unto Kings thereof, for preſervation of quietneſſe, unity, order, and peace, in ſuch manner as hath been ſhewed.

Idem ib.

Of the Title of Headſhip.

FOr the Title or State it ſelfe, although the Laws of this Land have annexed it to the Crowr, yet ſo farre wee ſhould not ſtrive, if ſo be men were nice and ſcrupulous in this behalfe only; becauſe they doe wiſh that for reverence to Chriſt Jeſus, the Civill Magiſtrate did rather uſe ſome other

forme

forme of ſpeech wherewith to expreſſe that Soveraigne Authority which hee lawfully hath over all, both perſons and cauſes of the Church. But I ſee that hitherto they which condemn utterly the names ſo applyed, doe it becauſe they miſlike that ſuch power ſhould be given to Civill Governours. The great exception that Sir *Thomas Moore* took againſt that Title, who ſuffered death for denyall of it, was, *for that it maketh a Lay, a ſecular perſon, the head of the State Spirituall or Eccleſiaſticall*, as though God himſelfe did not name *Saul*, the Head of all the Tribes of *Iſrael*; and conſequently of that Tribe alſo among the reſt, whereunto the ſtate Spirituall or Eccleſiaſticall belonged: when the Authors of the Centuries reprove it in Kings and Civill Governours, the reaſon is, *Iſtis non competit iſte primatus*; ſuch kinde of power is too high for them, they fit it not: In excuſe of Mr *Calvin* by whom this Realme is condemned of blaſphemy, for entituling, *H.8. Supream Head of this Church under Chriſt*, a charitable conjecture is made, that he ſpake by miſ-information; howbeit as he profeſſeth utter diſlike of that name, ſo whether the name be uſed or no, the very power it ſelfe which we give unto Civill Magiſtrates, hee much complaineth of, and proteſteth, *That their Power over all things was it which had ever wounded him deeply: That unadviſed perſons had made them too ſpirituall, that throughout* Germany *this fault did raign, that in thoſe very parts where* Calvin *himſelfe was, it prevailed more then was to be wiſhed, that Rulers by imagining themſelves ſo ſpirituall, have taken away Eccleſiaſticall Government, that they think they cannot*

Roſſenſis Epiſt. pag. 17.

Præf. cent. 7.

Calvin. in com. 7 Amos 7. v. 13.

raign

raign unleſſe they aboliſh all the Authority of the Church, and be themſelves the chiefe Iudges, as well in Doctrine as in the whole ſpirituall regency. So that in truth, the queſtion is, whether the Magiſtrate by being Head in ſuch ſence as we terme him, doe uſe or exerciſe any part of that Authority, not which belongeth unto Chriſt, but which other men ought to have.

Theſe things being firſt conſidered thus, it will be eaſier to judge concerning our own eſtate, whether by force of Eccleſiaſticall Government, Kings have any other kinde of Prerogative then they may lawfully hold and enjoy. It is as ſome doe imagine, too much, that Kings of *England* ſhould be termed Heads in relation to the Church. That which we doe underſtand by *Headſhip*, is their only Supream Power in Eccleſiaſticall affaires and cauſes; that which lawfull Princes are, what ſhould make it unlawfull for men in Spirituall Stiles or Titles to ſignifie? If the having of Supream Power be allowed, why is the expreſſing thereof by the Title of *Head*, condemned? They ſeem in words, (at leaſtwiſe ſome of them) now at the length to acknowledge, that Kings may have Dominion or Supream Government even over all, both perſons and cauſes. We in terming our Princes *Heads of the Church*, doe but teſtifie that we acknowledge them ſuch Governours. Againe to this, it will peradventure be Replyed, *That howſoever wee interpret our ſelves, it is not fit for a mortall man, and therefore not fit for a Civill Magiſtrate to be intituled the Head of the Church, which was given to our Saviour Chriſt to lift him above all Powers, Rules, Dominions, Titles, in heaven or in earth. Where if this*

T.C. *lib.* 2. *pag.* 411.

Title

title belong alſo to Civill Magiſtrates, then it is manifeſt that there is a power in earth whereunto our Saviour Chriſt is not in this point ſuperiour. Againe if the Civill Magiſtrate may have this title, hee may be termed alſo the firſt begotten of all creatures. The firſt begotten of all the dead, yea the Redeemer of his people. For theſe are alike given him as dignities wherely hee is lifted up above all creatures. Beſides this, the whole argument of the Apoſtle in both places doth leade to ſhew that this title, Head of the Church, *cannot bee ſaid of any creature. And further, the very demonſtrative Articles among the* Hebrewes, *eſpecially whom* S. Paul *doth follow, ſerveth to tye that which is verified of one, unto himſelfe alone: ſo that when the Apoſtle doth ſay that Chriſt is ὁ κεφαλὴ, the head, it is as if he ſhould ſay, Chriſt, and none other is the head of the Church.* Thus have we againſt the entituling of the higheſt Magiſtrate, *head*, with relation unto the Church, foure ſeverall arguments gathered by ſtrong ſurmiſe out of words marvellous unlikely to have been written to any ſuch purpoſe, as that whereunto they are now uſed and urged. To the *Epheſians*, the Apoſtle writeth, That *Chriſt, God had ſet on his right hand in the heavenly places above all Regency and Authority, and Power, and Dominion, and whatſoever name is named, not in this world onely, but in that which ſhall be alſo: and hath under his feet ſet all things, and hath given him head above all things unto the Church which is his body, even the fulneſſe of him which accompliſheth all in all.* To the *Coloſſians* in like manner, *That hee is the head of the body of the Church, who is a firſt borne regency out of the dead, to the*

Epheſ. 1. 21. Col. 1. 15.

Epheſ. 1. 20, 21, 22, 23.

Col. 1. 18.

end he might be made amongſt them all ſuch an one as hath the Chiefty: he meaneth amongſt all them whom he mentioned before, ſaying, *By him all things that are, were made; the things in the heavens, and the things in the earth, the things that are viſible, and the things that are inviſible, whether they be Thrones, or Dominions, or Regencies, &c.* Vnto the afore alledged arguments therefore we anſwer: Firſt, that it is not ſimply the title of *Head*, in ſuch ſort underſtood, as the Apoſtle himſelfe meant it; ſo that the ſame being imparted in another ſence unto others, doth not any wayes make thoſe others his equals; in as much as diverſity of things is uſually to be underſtood, even when of words there is no diverſity; and it is onely the adding of one and the ſame thing unto divers perſons, which doth argue equality in them. If I terme Chriſt and Ceſar lords, yet this is no equalizing Ceſar with Chriſt, becauſe it is not thereby intended: *To terme the Emperour lord* (ſaith *Tertullian*) *I for my owne part, will not refuſe, ſo that I be not required to call him Lord in the ſame ſence that God is ſo termed.* Neither doth it follow which is objected in the ſecond place, that if the Civill Magiſtrate may be intituled a *Head*: he may as well alſo be termed *the firſt begotten of all creatures, the firſt begotten of the dead, and the redeemer of his people.* For albeit the former dignity doth lift him up no leſſe then theſe, yet theſe termes are not appliable and apt to ſignifie any other inferiour dignity, as the former terme of *head* was. The argument or matter which the Apoſtle followeth, hath ſmall evidence or proof, that his meaning was to appropriate unto Chriſt, that the aforeſaid

Col. 1. 16.

title,

title, otherwiſe then onely in ſuch ſence as doth make it, being ſo underſtood, too high to be given to any creature.

As for the force of the Article where our Lord and Saviour is called *the Head*, it ſerveth to tie that unto him by way of excellency, which in meaner degrees is common to others; it doth not exclude any other utterly from being termed *Head*, but from being entituled as Chriſt is *the head*, by way of the very higheſt degree of excellency; not in the communication of names but in the confuſion of things there is errour. Howbeit, if *Head* were a name that could not well be, nor never had beene uſed to ſignifie that which a Magiſtrate may be in relation to ſome Church; but were by continuall uſe of ſpeech appropriated unto the onely thing it ſignifieth, being applyed unto Jeſus Chriſt, then although wee muſt carry in our ſelves a right underſtanding, yet ought we otherwiſe rather to ſpeake, unleſſe wee interpret our owne meaning by ſome clauſe of plaine ſpeech, becauſe wee are elſe in manifeſt danger to be underſtood according to that conſtruction and ſence, wherein ſuch words are perſonally ſpoken. But here the rareſt conſtruction and moſt removed from common ſence, is that which the word doth import being applyed unto Chriſt; that which we ſignifie by it in giving it to the Magiſtrate, is a great deale more familiar in the common conceit of men.

The word is ſo fit to ſignifie all kinds of Superiority, Preheminence, and Chiefty, that nothing is more ordinary then ſo to uſe it in vulgar ſpeech, and in common underſtanding ſo to take it: If therefore

Isay 7 9. Pekah is termed the head of Samaria.

Christian Kings may have any preheminence or chiefty above all other, although it be lesse then that which *Theodore Beza* giveth, who placeth Kings amongst the principall members, whereunto publique function in the Church belongeth, and denyeth not, but that of them which have publique function, the Civill Magistrates power hath all the rest at command, in regard of that part of his office, which is to procure that peace and good order be especially kept in things concerning the first Table; if even hereupon they terme him *the head of the Church*, which is *his kingdome*, it should not seem so unfit a thing; which title surely we could not communicate to any other, no not although it should at our hands be exacted with torments: but that our meaning herein is made known to the world, so that no man which will understand can easily be ignorant that wee doe not impart unto Kings when we terme them *Heads*, the honour which is properly given to our Lord and Saviour Christ, when the blessed Apostle in Scripture doth terme him *the head of the Church*.

The power which we signifie by that name, differeth in three things plainly from that which Christ doth challenge.

Ephes. 1. 11.

First, it differeth in order, because God hath given to his Church for the head, ὑπὲρ πάντα, ὑπὲρ ἄνω πάσης ἀρχῆς, *Farre above all principalities, and powers, and might, and dominion, and every name that is named, not in this world onely, but also in that which is to come*: whereas the power which others have, is subordinate unto his.

Secondly, againe, as hee differeth in order, so in mea-

meaſure of power alſo; becauſe God hath given unto him the ends of the earth for his poſſeſſion: unto him, dominion from ſea to ſea, unto him all power both in heaven and in earth, unto him ſuch ſoveraignty, as doth not onely reach over all places, perſons, and things, but doth reſt in his owne onely perſon, and is not by any ſucceſſion continued; he raigneth as Head and King nor is there any kind of law which tyeth him, but his owne proper will and wiſdome, his power is abſolute, the ſame joyntly over all which it is ſeverally over each: not ſo the power of any other headſhip. How Kings are reſtrained, and how their power is limited, we have ſhewed before; ſo that unto him is given by the title of *headſhip over the Church* that largeneſſe of power, wherein neither man, nor angell, can be matched nor compared with him. Pſal 2. 9.

Thirdly, the laſt and greateſt difference betweene him and them, is in the very kind of their power. The head being of all other parts of the body moſt divine, hath dominion over all the reſt; it is the fountaine of ſence, of motion, the throne where the guid of the ſoule doth raign; the court from whence direction of all things humane proceedeth. Why Chriſt is called *the head of the Church*, theſe cauſes themſelves doe yeeld. As the head is the chiefeſt part of a man, above which there is none, alwayes joyned with the body; ſo Chriſt the higheſt in his Church, is alwayes knit to it. Againe as the head giveth ſence and motion unto all the body, ſo hee quickneth us, and together with underſtanding of heavenly things, giveth ſtrength to walk therein: ſeeing

therefore that they cannot affirme Chriſt ſenſibly preſent, or alwayes viſibly joyned unto his body the Church which is on earth, in as much as his corporall reſidence is in heaven. Againe, ſeeing they doe not affirme (it were intolerable if they ſhould) that Chriſt doth perſonally adminiſter the externall Regiment of outward actions in the Church, but by the ſecret inward influence of his grace, giveth ſpirituall life, and the ſtrength of ghoſtly motions thereunto: Impoſſible it is that they ſhould ſo cloſe up their eyes, as not to diſcerne what odds there is betweene that kind of operation, which we imply in the *headſhip* of Princes, and that which agreeth to our Saviours dominion over the Church. The *headſhip* which we give unto Kings, is altogether viſibly exerciſed, and ordereth onely the externall frame of the Church affaires here amongſt us; ſo that it plainly differeth from Chriſts, even in very nature and kind. To be in ſuch ſort united unto the Church as he is; to work as he worketh, either on the whole Church or upon any particular aſſembly, or in any one man, doth neither agree, nor hath any poſſibility of agreeing unto any one beſides him.

T.C.l.2.p.411. Againſt the firſt diſtinction or difference it is to be objected, *That to entitle a Magiſtrate head of the Church, although it be under Chriſt, is not abſurd. For Chriſt hath a two-fold ſuperiority over his, and over kingdomes; according to the one, he hath a ſuperiour, which is his Father; according to the other, none but immediate authority with his Father; that is to ſay, of the Church he is head and governour onely as the ſonne of man, head and governour of kingdomes onely as the ſon of God.*

In

In the Church, as man, he hath officers under him, which officers are Ecclesiasticall persons: As for the Civill Magistrate, his office belongeth unto Kingdomes, and to Common-wealths, neither is he there an under or subordinate head, considering that his authority cometh from God, simply and immediately, even as our Saviour Christs doth. Whereunto the summe of our answer is, First, that as Christ being Lord or Head over all, doth by virtue of that Soveraignty rule all; so hee hath no more a superiour in governing his Church, then in exercising soveraign Dominion upon the rest of the world besides. Secondly, that all authority as well Civill as Ecclesiasticall, is subordinate unto him. And thirdly the Civill Magistate being termed head, by reason of that authority in Ecclesiasticall affaires which hath been already declared, that themselves doe in word acknowledge to be lawfull: It followeth that he is a head even subordinated of Christ, and to Christ. For more plaine explication whereof, unto God we acknowledge daily that Kingdome, Power, and Glory are his; that hee is the immortall and invisible King of ages, as well the future which shall be, as the present which now is. That which the Father doth work as Lord and King over all, he worketh not without, but by the Sonne, who through coeternall generation, receiveth of the Father that power, which the Father hath of himselfe. And for that cause our Saviours words concerning his owne Dominion are; *To me all power both in heaven and in earth is given*: The Father by the Sonne did create, and doth guide all; wherefore Christ hath supreme Dominion over the whole universall world.

T.C.I.p.418.

world. Christ is God, Christ is ὁ Θεός, the consubstantiall word of God; Christ is also that consubstantiall word which made man. As God, he saith of himselfe, *I am Alpha and Omega, the beginning and the end: he which was, and which is, and which is to come; even the very omnipotent.* As the consubstantiall word of God, he hath with God before the beginning of the world, that glory which as he was man, he requireth to have: *Father, glorifie thy Sonne with that glory which with thee he enjoyed before the world was.* Further it is not necessary, that all things spoken of Christ should agree to him, either as God, or else as man; but some things as hee is the consubstantiall word of God, some things as he is that word incarnate. The works of supreme Dominion which have been since the first beginning wrought by the power of the Son of God, are now most properly and truly the works of the Son of man: the Word made Flesh doth sit for ever, and raigne as soveraigne Lord over all. Dominion belongeth unto the Kingly office of Christ, as Propitiation and Mediation unto his Priestly; Instruction, unto his Pastorall and Prophetical office. His works of Dominion are in sundry degrees and kinds, according to the different conditions of them which are subject unto it: he presently doth governe, and hereafter shall judge the world, intire and wholly, and therefore his Regall power cannot be with truth restrained unto a proportion of the world onely. Notwithstanding, for as much as all doe not shew and acknowledge with dutifull submission, that obedience which they owe unto him; therefore such as do, their Lord he is termed by way of excellency, no otherwise then

Apoc. 1. 8.

Iohn 17. 5.

then the Apoſtle doth term God the ſuccour generally of all, but eſpecially of the faithfull; theſe being brought to the obedience of faith, are every where ſpoken of, as men tranſlated into that Kingdome, wherein whoſoever is comprehended, Chriſt is the Author of eternall ſalvation unto them; they have a high and ghoſtly fellowſhip with God and Chriſt, and Saints; or as the Apoſtle in more ample manner ſpeaketh, *Aggregated they are unto Mount Sion, and to the City of the living God; the Celeſtiall Ieruſalem, and to the company of innumerable Angels,* Heb. 12. 22. *and to the Congregation of the firſt born, which are written in heaven, and to God the Iudge of all, and to the Spirits of juſt and perfect men, and to Ieſus the Mediator of the new Teſtament.* In a word, they are of that myſticall body, which we term the Church of Chriſt. As for the reſt we account them *Aliens from the Commonwealth of Iſrael, and that live in the kingdom of darknes, and that are in this preſent world without God.* Our Saviours Dominion is therefore over theſe as over rebels, over them as over dutifull and loving ſubjects; which things being in holy Scriptures ſo plaine, I ſomewhat muſe at the ſtrang poſitions, that Chriſt in the Government of his Church and Superiority over the Officers of it, hath himſelfe a Superiour which is the Father: But in governing of Kingdomes and Common-wealths, and in the Superiority which he hath over Kingdoms, no Superiour.

Againe, *That the Civill Magiſtrates Authority commeth from God immediately, as Chriſts doth, and is ſubordinate unto Chriſt.* In what Evangeliſt, Apoſtle, or Prophet, is it found, that Chriſt T.C. lib. 1. pag. 411.

(Supream Governour of the Church) ſhould bee ſo unequall to himſelfe, as he is Supreame Governour of Kingdomes? The works of his providence for the preſervation of mankind, by upholding Kingdomes not only obedient unto, but alſo obſtinate and rebellious againſt him, are ſuch as proceed from Divine Power; and are not the works of his providence for ſafety of Gods Elect, by gathering, inſpiring, comforting, & every way preſerving his Church, ſuch as proceed from the ſame power likewiſe? ſurely if Chriſt as God and man have ordained certaine means for the gathering and keeping of his Church, ſeeing this doth belong to the Government of that Church, it muſt in reaſon follow I think, that as God and man, he worketh in Church Regiment, and conſequently hath no more there any Superiours, then in the Government of the Common-wealth. Againe, to be in the midſt of his, whereſoever they are aſſembled in his name, and to be with them to the worlds end, are comforts which Chriſt doth performe to his Church as Lord and Governour; yea, ſuch as he cannot perform but by that very Power wherein he hath no Superiour. Wherefore unleſſe it can be proved that all the works of our Saviours Government in the Church are done by the meere and onely force of his humane nature, there is no remedy but to acknowledge it a manifeſt errour, that Chriſt in the Government of the world is equall to the Father, but not in the government of the Church. Indeed to the honour of this Dominion, it cannot be ſaid that God did exalt him otherwiſe then only according to that humane nature, wherein he was made

made low. For as the Sonne of God, there could no advancement or exaltation grow unto him: And yet the Dominion, whereunto he was in his humane nature lifted up, is not without Divine Power exerciſed. It is by Divine Power that the Sonne of man who ſitteth in heaven, doth work as King and Lord upon us which are on earth. The exerciſe of his Dominion over the Church Militant cannot chuſe but ceaſe, when there is no longer any Militant Church in the World. And therefore as Generals of Armies when they have finiſhed their work, are wont to yeeld up ſuch Commiſſions as were given for that purpoſe, and to remaine in the ſtate of ſubjects and not as Lords, as concerning their former Authority; even ſo when the end of all things is come, the Sonne of man (who till then raigneth) ſhall doe the like, as touching regiment over the Militant Church on the earth. So that between the Sonne of man and his brethren, over whom he raigneth now in this their warfare, there ſhall be then as touching the exerciſe of that regiment no ſuch difference, they not warfaring any longer under him, but he together with them under God, receiving the joyes of everlaſting triumph, that ſo God may bee all in all; all miſery in all the wicked through his Juſtice; in all the righteous, through his love all felicity and bliſſe. In the meane while hee raigneth over the World as King, and doth thoſe things wherein none is ſuperiour unto him, whether we reſpect the works of his providence and Kingdome, or of his regiment over the Church, the cauſe of errour in this point, doth ſeem to have been

a misconceit that Christ as Mediator, being inferiour to his Father, doth as Mediator, all works of regiment over the Church, when in truth, regiment doth belong to his Kingly Office, Mediatorship to his Priestly. For as the high Priest both offerred Sacrifices, for expiation of the peoples sinnes, and entred into the holy place, there to make intercession for them: So Christ having finished upon the Crosse that part of his Priestly Office, which wrought the propitiation for our sinnes, did afterwards enter into very heaven, and doth there as Mediator of the New Testament, appear in the sight of God for us. Alike sleight of judgement it is, when they hold that Civill Authority is from God, but not immediately through Christ, nor with any subordination to God, nor doth any thing from God, but by the hands of our Lord Jesus Christ. They deny it not to be said of Christ in the old Testament, *By me me Princes rule, and the Nobles, and all the Iudges of the earth.* In the new as much is taught, *That Christ is the Prince of the Kings of the earth.* Wherefore to the end it may more plainly appeare how all Authority of man is derived from God through Christ, and must by Christian men be acknowledged to be no otherwise held then of, and under him; we are to note that because whatsoever hath necessary being, the Sonne of God doth cause it to be, and those things without which the world cannot well continue, have necessary being in the world: a thing of so great use as Government, cannot chuse but be originally from him. Touching that Authority which Civill Magistates have in Ecclesiasticall affaires, it being

T.C.lib.1.p.13.

Heb.9.25.

Esay 7.25.
Rom.13.1.

Prov.8.15.
Humble motion, p.63.

Rev.1.5.

being from God by Chriſt, as all other goods things are, cannot chuſe but be held as a thing received at his hands; and becauſe ſuch power is of neceſſity for the ordering of Religion, wherein the eſſence and very being of the Church conſiſteth, can no otherwiſe flow from him, then according to that ſpeciall care which he hath to govern and guide his own people: it followeth that the ſaid Authority is of and under him after a more ſpeciall manner, in that *he is Head of the Church*, and not in reſpect of his generall Regency over the World. *All things* (ſaith the Apoſtle ſpeaking unto the Church) *are yours, and yee are Chriſts, and Chriſt is Gods.* Kings are Chriſts as Saints, becauſe they are of the Church, if not Collectively, yet diviſively underſtood. It is over each particular perſon within that Church where they are Kings; ſurely, Authority reacheth both unto all mens perſons, and to all kinds of cauſes alſo: It is not denyed, but that they may have and lawfully exerciſe it; ſuch Authority it is, for which and for no other in the World we term them heads; ſuch Authority they have under Chriſt, becauſe he in all things is Lord over all; and even of Chriſt it is that they have received ſuch Authority, in as much as of him all lawfull Powers are; therefore the Civill Magiſtrate is in regard of this Power, an under and ſubordinate Head of Chriſts people. 1 Cor. 3. 22.

It is but idle where they ſpeake, *That although for ſeverall companies of men there may be ſeverall Heads or Governours, differing in the meaſure of their Authority from the chiefeſt who is Head over all, yet ſeeing it cannot be in the Church, for that the reaſon why Head-* T. C. lib. 2. p. 13.

Magiſtrates appoint others for ſuch ſeverall places, is becauſe they cannot be preſent everywhere to performe the Office of an Head. But Chriſt is never from his body, nor from any part of it, and therefore needeth not to ſubſtitute any, which may be Heads, ſome over one Church, and ſome over an other. Indeed, the conſideration of mans imbecillity, which maketh many heads neceſſary, where the burthen is too great for one, moved *Iethro* to be a perſwader of *Moſes*, that the number of Heads or Rulers might bee inſtituted for diſcharge of that duty by parts, which in whole he ſaw was troubleſome. Now although there be not in Chriſt any ſuch defect, or weakneſſe, yet other cauſes there be divers more then we are able to ſearch into. Wherefore it might ſeeme unto him expedient to divide his Kingdome into many Provinces, and place many Heads over it, that the power which each of them hath in particular with reſtraint, might illuſtrate the greatneſſe of his unlimited Authority. Beſides, howſoever Chriſt be Spiritually alwayes united unto every part of his body, which is the Church: Nevertheleſſe, we doe all know, and they themſelves who alleadge this, will I doubt confeſſe alſo, that from every Church here viſible, Chriſt touching viſible and corporall preſence, is removed as far as heaven from the earth is diſtant. Viſible government is a thing neceſſary for the Church; and it doth not appear, how the exerciſe of viſible government over ſuch multitudes everywhere diſperſed throughout the World ſhould conſiſt without ſundry viſible Governours, whoſe power being the greateſt in that kinde ſo farre as it reacheth, they are in conſideration thereof termed

termed so farre Heads. AWherefore notwithstandding the perpetuall conjunction, by vertue whereof our Saviour alwayes remaineth spiritually united unto the parts of his mysticall body; Heads indeed with supream power, extending to a certaine compasse, are for the exercise of a visible regiment not unnecessary. Some other reasons there are belonging unto this branch, which seeme to have beene objected, rather for the exercise of mens wits, in dissolving Sophismes, then that the Authors of them could think in likelihood thereby to strengthen their cause. For example, *If the Magistrate be Head of the Church within his own Dominion, then is he none of the Church: For all that are of the Church make the body of Christ, and every one of the Church fulfilleth the place of one member of the body: By making the Magistrate therefore Head, we do exclude him from being a member subject to the Head, and so leave him no place in the Church.* By which reason the name of a body politick, is supposed to be alwayes taken of the inferiour sort alone, excluding the principall Guides and Governours, contrary to all mens customes of speech. The errour ariseth by misconceiving of some Scripture sentences, where Christ as the Head, and the Chuch as the body, are compared or opposed the one to the other. And because in such comparisions of oppositions, the body is taken for those only parts which are subject unto the Head, they imagine that who so is the Head of any Church, he is therefore even excluded from being a part of that Church; That the Magistrate can be none of the Church if so we make him the Head of the Church

T. C. lib. 2. p. 419.

Ut Hen. 8. 6. 9.

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in his own Dominions: A chiefe and principall part of the Church therefore next this, is ſurely a ſtrang concluſion. A Church doth indeed make the body of Chriſt being wholy taken together; and every one in the ſame Church fulfilleth the place of a member in the body, but not the place of an inferiour member the which hath Supream Authority and Power over all the reſt. Wherefore by making the Magiſtrate Head in his own Dominions, we exclude him from being a member ſubject unto any other perſon, which may viſibly there rule in place of a Superiour or Head over him; but ſo farre are wee off from leaving him by this meanes no place in the Church that we doe grant him the chiefe place. Indeed the Heads of thoſe viſible bodies, which are many, can be but parts inferiour in that Spirituall Body which is but one; yea, they may from this be excluded clean, who notwithſtanding ought to be honoured, as poſſeſſing in order the higheſt roomes: But for the Magiſtrate to bee termed in his Dominions an Head, doth not barre him from being any way a part or member of the Church of God.

As little to the purpoſe are thoſe other cavills; *A Church which hath the Magiſtrate for head, is perfect man without Chriſt*: ſo that the knitting of our Saviour thereunto, ſhould be an addition of that which is too much. Againe, *If the Church be the body of Chriſt, and of the Civil Magiſtrate, it ſhall have two heads, which being monſterous, is to the great diſhonour of Chriſt and his Church.* Thirdly, *if the Church be planted in a popular eſtate, then foraſmuch as all governe*

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in common, and all have authority, all ſhall be heads there, and no body at all, which is an other monſter. It might be feared what this birth of ſo many monſters together might portend, but that wee know how things naturall enough in themſelves may ſeem monſterous through miſconceit; which errour of mind is indeed a monſter: and the skilfull in natures myſteries have uſed to terme it the womb of Monſters; if any be, it is that troubled underſtanding, wherein, becauſe things lie confuſedly mixt together, what they are it appeareth not. A Church perfect without Chriſt, I know not how a man ſhall imagine, unleſſe there may be either Chriſtianity without Chriſt, or elſe a Church without Chriſtianity. If Magiſtrates be heads of the Church, they are of neceſſity Chriſtians, then is their head Chriſt. The adding of Chriſt univerſall head over all unto Magiſtrates particular headſhip, is no more ſuperfluous in any Church then in other ſocieties: each is to be both ſeverally ſubject unto ſome head, and to have a head alſo generall for them all to be ſubject unto. For ſo in Armies, in civill Corporations, we ſee it fareth: A body politique in ſuch reſpects is not like a naturall body, in this; more heads then one is ſuperfluous, in that not; it is neither monſtrous, nor yet uncomely for a Church to have different heads: for if Chriſtian Churches be in number many, and every of them a perfect body by it ſelfe, Chriſt being Lord and head over all; why ſhould wee judge it a thing more monſtrous for one body to have two heads, then one head ſo many bodies? Him that God hath made the ſupreme head of the whole Church, the head

not onely of that myſticall body which the eye of man is not able to diſcerne, but even of every Chriſtian politique ſociety, of every viſible Church in the world. And whereas, laſtly, it is thought ſo ſtrange, that in popular ſtates a multitude to it ſelfe ſhould be both body and head, all this wonderment doth grow from a little overſight, in deeming that the ſubject wherein headſhip ought to reſide ſhould be evermore ſome one perſon, which thing is not neceſſary: For in the collective body that hath not derived as yet the principality of power into ſome one or few, the whole of neceſſity muſt be head over each part; otherwiſe it could not have power poſſibly to make any one certaine perſon head; in as much as the very power of making a head belongeth unto headſhip. Theſe ſuppoſed *Monſters* wee ſee therefore are no ſuch *Giants*, as that there ſhould need any *Hercules* to tame them.

The laſt difference which we have between the title of head when we give it unto Chriſt, and when we give it to other Governours, is, that the kind of Dominion which it importeth is not the ſame in both: Chriſt is head as being the fountaine of life and ghoſtly nutriment, the well-ſpring of ſpirituall bleſſings powred into the body of the Church; they heads, as being the principall inſtruments for the Churches outward government; he head, as founder of the houſe; they, as his chiefeſt overſeers. Againſt this is exception eſpecially taken, and our purveyours are herein ſaid to have their proviſion from the Popiſh ſhambles: for by *Pighius* and *Harding*, to prove that Chriſt alone is not head of the Church,

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this diſtinction they ſay is brought, that according to the inward influence of grace, Chriſt onely is head: but according to the outward government, the being of head is a thing common to him with others. To raiſe up falſhoods of old condemned, and bring it for confirmation of any thing doubtfull, which already hath ſufficiently beene proved an errour, and is worthily ſo taken, this would juſtly deſerve cenſuring. But ſhall manifeſt truth therefore be reproached, becauſe men convicted in ſome things of manifeſt untruth, have at any time thought or alledged it? If too much eagerneſſe againſt their adverſaries had not made them forget themſelves, they might remember where being charged as maintainers of thoſe very things, for which, others before them have been condemned of hereſie, yet leſt the name of any ſuch heretick holding the ſame which they doe ſhould make them odious, they ſticke not frankly to confeſſe, *That they are not afraid to conſent in ſome points, with Iewes, and Turkes:* which defence, for all that, were a very weake buckler for ſuch as ſhould conſent with Jewes aud Turks, in that which they have been abhorred and hated for in the Church. But as for this diſtinction of headſhip, Spiriuall and Myſticall in Jeſus Chriſt, miniſteriall and outward in others beſides Chriſt; what cauſe is there to miſlike either *Harding*, or *Pighins*, or any other beſides for it? That which they have been reproved for is, not becauſe they did therein utter an untruth, but ſuch a truth as was not ſufficient to bear up the cauſe which they did thereby ſeek to maintaine. By this diſtinction they have both truly and ſufficiently proved, that

T.C.l.3.p.68.

the name of Head importing power and dominion over the Church, might be given to others beſides Chriſt without prejudice to any part of his honour. That which they ſhould have made manifeſt, was the name of Head, importing the power of univerſall dominion over the whole Church of Chriſt militant, doth, and that by Divine right, appertaine to the Pope of *Rome*: They did prove it lawfull to grant unto others beſides Chriſt the power of Headſhip in a different kind from his; but they ſhould have proved it lawfull to challenge, as they did to the Biſhop of *Rome*, a power univerſall in that different kind. Their fault was therefore in exacting wrongfully ſo great power as they challenged in that kind, and not in making two kinds of power, unleſſe ſome reaſons can be ſhewed for which this diſtinction of power ſhould be thought erroneous and falſe. A little they ſtir (although in vaine) to prove that we cannot with truth make ſuch diſtinction of power, whereof the one kind ſhould agree unto Chriſt onely, and the other be further communicated. Thus therefore they argue, *If there be no head but Chriſt in reſpect of Spirituall government there is no head but he in reſpect of the Word, Sacraments, and Diſcipline adminiſtred by thoſe whom he hath appointed, for as much alſo as it is his Spirituall government*: Their meaning is, that whereas we make two kinds of power, of which two, the one being Spirituall, is proper unto Chriſt; the other men are capable of, becauſe it is viſible and externall. We doamiſſe altogether in diſtinguiſhing, they thinke, foraſmuch as the viſible and externall power of regiment over the Church is onely in relation

T.C.l. 2. p. 45.

tion unto the Word, the Sacraments, and Diſcipline, adminiſtred by ſuch as Chriſt hath appointed thereunto, and the exerciſe of this power is alſo his Spirituall government: therefore we doe but vainly imagine a viſible and externall power in the Church differing from his Spirituall power. Such diſputes as this doth ſomewhat reſemble the practiſing of well-willers upon their friends in the pangs of death, whoſe manner is even then to put ſmoak in their noſtrills, and ſo to fetch them againe, although they know it a matter impoſſible to keep them living. The kind of affection which the favourers of this labouring cauſe beare towards it, will not ſuffer them to ſee it dye, although by what meanes they ſhould make it live, they do not ſee; but they may ſee that theſe wreſtlings will not help: can they be ignorant how little it booteth to overcaſt ſo cleare a light with ſome miſt of ambiguity in the name of ſpirituall regiment? To make things therefore ſo plaine, that hence forward a childs capacity may ſerve rightly to conceive our meaning, we make the Spirituall regiment of Chriſt to be generally that whereby his Church is ruled and governed in things ſpirituall. Of this generall we make two diſtinct kinds; the one inviſible, exerciſed by Chriſt himſelfe in his owne perſon; the other outwardly adminiſtred by them, whom Chriſt doth allow to be rulers and guiders of his Church. Touching the former of theſe two kinds, we teach that Chriſt in regard thereof is particularly termed *the head of the Church of God*; neither can any other creature in that ſence and meaning be termed head beſides him, becauſe it importeth the

conduct and government of our ſoules by the hand of that bleſſed Spirit wherewith we are ſealed and marked, as being peculiarly his; him onely therefore doe we acknowledge to be the Lord, which dwelleth, liveth, and raigneth in our hearts; him onely to be that head, which giveth ſalvation and life unto his body; him onely to be that fountaine from whence the influence of heavenly graces diſtilleth, and is derived into all parts, whether the Word or the Sacraments, or Diſcipline, or whatſoever be the meanes whereby it floweth. As for the power of adminiſtring theſe things in the Church of Chriſt, which power we call the power of order, it is indeed both Spirituall and His; Spirituall, becauſe ſuch properly concernes the Spirit: His, becauſe by him it was inſtituted. Howbeit neither Spirituall as that which is inwardly and inviſibly exerciſed; nor his, as that which he himſelfe in perſon doth exerciſe. Againe that power of dominion which is indeed the point of this controverſie, and doth alſo belong to the ſecond kind of Spirituall government, namely unto that regiment which is externall and viſible: this likewiſe being Spirituall in regard of the matter about which it dealeth; and being his, in as much as hee approveth whatſoever is done by it, muſt notwithſtanding be diſtinguiſhed alſo from that power whereby he himſelfe in perſon adminiſtreth the former kind of his owne Spirituall regiment, becauſe he himſelfe in perſon doth not adminiſter this; we doe not therefore vainly imagine, but truly and rightly diſcerne a power externall and viſible in the Church, exerciſed by men, and ſevered in nature from that Spirituall

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power of Chriſts owne regiment, which power is termed Spirituall, becauſe it worketh ſecretly, inwardly, and inviſibly: His, becauſe none doth, nor can it perſonally exerciſe, either beſides, or together with him; ſeeing that him only we may name our Head, in regard of his, and yet in regard of that other power from this, terme others alſo beſides him Heads, without any contradiction at all; which thing may very well ſerve for anſwer unto that alſo which they further alledge againſt the aforeſaid diſtinction, namely, *That even the outward ſocieties and aſſemblies of the Church where one or two are gathered together in his name, either for hearing of the Word, or for Prayer, or any other Church exerciſe, our Saviour Chriſt being in the midſt of them as Mediatour, muſt be their Head: and if hee be not there idle, but doing the office of a head fully, it followeth that even in outward ſocieties and meetings of the Church, no meer man can be called the head of it, ſeeing that our Saviour Chriſt doing the whole office of the head himſelfe alone, leaveth nothing to men by doing whereof they may obtaine that title.* Which objection I take as being made for nothing but onely to maintaine argument: for they are not ſo far gone as to argue thus in ſooth and right good earneſt. *God ſtandeth* (ſaith the Pſalmiſt) *in the midſt of gods*; if God be there preſent, hee muſt undoubtedly be preſent as God; if he be not there idle, but doing the office of a God fully, it followeth, that God himſelfe alone doing the whole office of a God, leaveth nothing in ſuch aſſemblies to any other, by doing whereof they may obtaine ſo high a name. The Pſalmiſt therefore hath ſpoken amiſſe, and

T.C. l. 2. p. 415.

and doth ill to call Judges Gods. Not ſo; for as
T.C.l.2.p.413. God hath his office differing from theirs, and doth fully diſcharge it even in the midſt of them, ſo they are not hereby excluded from all kind of duty for which that name ſhould bee given unto them alſo; but in that duty for which it was given them, they are incouraged Religiouſly and carefully to order themſelves after the ſelfe ſame manner. Our Lord and Saviour being in the midſt of his Church as Head, is our comfort, without the abridgement of any one duty; for performance whereof, others are termed Heads in another kind then bee is. If there be of the ancient Fathers which ſay, *That there is but one head of the Church, Chriſt; and that the Miniſter that baptizeth cannot be the head of him that is baptized, becauſe Chriſt is the head of the whole Church: and that* Paul *could not be head of the Church which he planted, becauſe Chriſt is the head of the whole body:* They underſtand the name of head in ſuch ſort as wee grant that it is not applyable to any other, no not in relation to the leaſt part of the whole Church; hee which baptizeth, baptizeth into Chriſt; hee which converteth, converteth into Chriſt; hee which ruleth, ruleth for Chriſt. The whole Church can have but one to be head as Lord and owner of all; wherefore if Chriſt bee head in that kinde, it followeth, that no other beſides can be ſo either to the whole or to any part.

To call and dissolve all solemn Assemblies about the publick Affaires of the Church.

AMongst sundry Prerogatives of *Simons* Dominion over the Jewes, there is reckoned as not the least, *that no man might gather any great assembly in the land without him.* For so the manner of Jewish regiment had alwayes been, that whether the cause for which men assembled themselves in peaceable, good, and orderly sort, were Ecclesiasticall, or Civill, Supream Authority should assemble them; *David* gathered all *Israel* together unto *Ierusalem*; when the Arke was to be removed, he assembled the sonnes of *Aaron* and the *Levites*. *Salomon* did the like at such time as the Temple was to be dedicated; when the Church was to be reformed, *Asa* in his time did the same: The same upon like occasions was done afterwards by *Ioash*, *Hezekias*, *Iosiah*, and others.

The Consuls of *Rome*, *Polybius* affirmeth to have had a kind of Regall Authority, in that they might call together the Senate and People whensoever it pleased them. Seing therefore the affaires of the Church & Christian Religion, are publick affairs, for the ordering whereof more solemn Assemblies sometimes are of as great importance and use, as they are for secular affaires: It seemeth no lesse an act of Supream Authority to call the one then the other. Wherefore the Clergy, in such wise gathered together, is an Ecclesiasticall Senate, which with us, as in former times the cheifest Prelate at his discretion did use to assemble, so that afterwards in such

Polyb. l. 6. de milit ac domest. Rom. discipl.

considerations as have been before specified, it seemeth more meet to annex the said Prerogative to the Crown. The plot of reformed Discipline not liking therof so well, taketh order that every former Assembly before it breaketh up, should it self appoint both the time and place of their after meeting again. But because I finde not any thing on that side particurlaly alleadged against us herein, a longer disputation about so plaine a cause shall not need. The ancient Imperiall Law forbiddeth such Assemblies as the Emperours Authority did not cause to be made. Before Emperours became Christians, the Church had never any generall Synod, their greatest meeting consisting of Bishops and others, the gravest in each Province. As for the Civill Governours Authority, it suffered them only as things not regarded or not accounted of at such times as it did suffer them. So that what right a Christian King hath as touching Assemblies of that kind, we are not able to judge, till we come to later times, when Religion had won the hearts of the highest Powers. *Constantine* (as *Pighius* doth grant) was not only the first that ever did call any generall Councell together, but even the first that devised the calling of them for consultation about the businesses of God. After he had once given the example, his Successors a long time followed the same; in so much that S. *Hierom* to disprove the Authority of a Synod which was pretended to be generall, useth this as a forcible Argument, *Dic quis Imperator hanc Synodum jusserit convocari?* Their answer hereunto, is no answer, which say, *That Emperours did not this without conference had with*

Lib. 1 de Colleg. illicit. & de conventiculis. cap. de Episc. & presbyt.

Hierarch. lib. 6 cap. 1.

Constant. Consil. à Theodosio.

Sardicen. Consil. à Constant.

Hieron cont Ruffinus lib. 2.

with the Biſhops: for to our purpoſe it is enough, if the Clergy alone did it not otherwiſe then by the leave and appointment of their Soveraign Lords and Kings. Whereas therefore it is on the contrary ſide alleadged, that *Valentinian* the elder being requeſted by Catholick Biſhops, to grant that there might be a Synod for the ordering of matters called in queſtion by the *Arians*, anſwered, that he being one of the Laity, might not meddle with ſuch matters, and thereupon willed that the Prieſts and Biſhops, to whom the care of thoſe things belongeth, ſhould meet and conſult together by themſelves where they thought good. We muſt with the Emperours ſpeech weigh the occaſion & drift thereof: *Valentinian* and *Valens*, the one a Catholick, the other an *Arian*, were Emperours together: *Valens* the Governour of the Eaſt; and *Valentinian* of the Weſt Empire. *Valentinian* therefore taking his journey from the Eaſt, unto the Weſt parts, and paſſing for that intent through *Thracia*, there the Biſhops which held the ſoundneſſe of Chriſtian beliefe, becauſe they knew that *Valens* was their profeſſed Enemy, and therefore if the other was once departed out of thoſe quarters, the Catholick cauſe was like to finde very ſmall favour, moved preſently *Valentinian* about a Councell to be aſſembled under the countenance of his Authority; who by likelyhood conſidering what inconvenience might grow thereby, inaſmuch as it could not be but a means to incenſe *Valens* the more againſt them, refuſed himſelfe to be Author of, or preſent at any ſuch Aſſembly, and of this his denyall gave them a colourable reaſon, to wit, that he was al-

Sozomen. lib. 6. cap. 7.

Ambroſe Epiſt. 32.

though an Emperour, yet a ſecular perſon, and therefore not able in matters of ſo great obſcurity to ſit as a competent judge. But if they which were Biſhops and learned men, did think good to conſult thereof together, they might; whereupon when they could not obtaine that which they moſt deſired, yet that which he granted unto them they took, and forthwith had a Councell. *Valentinian* went on towards *Rome*, they remaining in conſultation, till *Valens* which accompanied him returned back; ſo that now there was no remedy, but either to incurre a manifeſt contempt, or elſe at the hands of *Valens* himſelfe, to ſeek approbation of that they had done. To him therefore they became ſuitors, his anſwer was ſhort, *Either Arianiſm, or Exile, which they would*; whereupon their baniſhment enſued. Let reaſonable men now therefore be judges, how much this example of *Valentinian*, doth make againſt the Authority, which we ſay that Soveraign Rulers may lawfully have, as concerning Synods, and meetings Eccleſiaſticall.

Of the Authority of making Lawes.

THere are which wonder that we ſhould account any Statute a Law, which the High Court of Parliament in *England* hath eſtabliſhed about the matter of *Church Regiment*; the Prince and Court of Parliament, having (as they ſuppoſe) no more lawfull meanes to give order to the Church and Clergy in thoſe things, then they have to make Lawes for the Hierarchies of Angels in heaven; that the Parliament being

being a meer temporall Court, can neither by the Law of nature, nor of God, have competent power to define of ſuch matters; that Supremacy in this kind cannot belong unto Kings, as Kings, becauſe Pagan Emperours whoſe Princely power was true Soveraignty, never challenged ſo much over the Church; that Power in this kinde cannot be the right of any earthly Crown, Prince, or State, in that they bee Chriſtians, foraſmuch as if they be Chriſtians, they all owe ſubjection to the Paſtors of their ſoules; that the Prince therefore not having it himſelfe, cannot communicate it to the Parliament, and conſequently cannot make Lawes here, or determine of the Churches Regiment by himſelfe, Parliament or any other Court ſubjected unto him.

The Parliament of *England* together with the Convocation annexed thereunto, is that whereupon the very eſſence of all Government within this Kingdome doth depend; it is even the body of the whole Realm, it conſiſteth of the King, and of all that within the Land are ſubject unto him. The Parliament is a Court not ſo meerly Temporall as if it might meddle with nothing but only leather and wooll: Thoſe dayes of Queen *Mary* are not yet forgotten, wherein the Realm did ſubmit it ſelf unto the Legate of Pope *Iulius*, at which time had they been perſwaded as this man ſeemeth now to be, had they thought that there is no more force in Lawes made by Parliament concerning Church affaires, then if men ſhould take upon them to make Orders for the Hierarchies of Angels in heaven, they might have taken all former Statutes of that kinde

as cancelled, and by reaſon of nullity abrogated. What need was there that they ſhould bargaine with the Cardinall, and purchaſe their pardon by promiſe made before hand, that what Lawes they had made, aſſented unto, or executed, againſt the Biſhop of *Romes* Supremacy, the ſame they would in that preſent Parliament, effectually abrogate and repeale? had they power to repeale Lawes made, and none to makes Lawes concerning the Regiment of the Church? Again, when they had by ſuit obtained his confirmation for ſuch foundations of Biſhopricks, Cathedrall Churches, Hoſpitals, Colledges, and Schooles; for ſuch marriages before made, for ſuch Inſtitutions into Livings Eccleſiaſticall, and for all ſuch Judiciall Proceſſes as having been ordered according to the Lawes before in force, but contrary unto the Canons and Orders of the Church of *Rome*, were in that reſpect thought defective, although the Cardinall in his Letters of Diſpenſation, did give validity unto thoſe Acts, even *Apoſtolicæ firmitatis robur*, the very ſtrength of Apoſtolicall ſolidity; what had all this been without thoſe grave authenticall words? *Be it enacted by the Authority of this preſent Parliament, that all and ſingular Articles and Clauſes contained in the ſaid Diſpenſation, ſhall remaine and be reputed and taken to all intents and conſtructions in the Lawes of this Realm, lawfull, good and effectuall to be alleadged and pleaded in all Courts Eccleſiaſticall and Temporall, for good and ſufficient matter either for the Plaintiffe or Defendant, without any Allegation or objection to be made againſt the validity of them by pretence of any generall Councell, Canon, or Decree to the contrary.* Some-

An. 1. & 2. *Phil. & Mar. cap.* 8.

what

what belike they thought there was in his meer Temporall Court, without which the Popes owne meer Eccleſiaſticall Legates Diſpenſations had taken ſmall effect in the Church of *England*; neither did they, or the Cardinall imagine any thing committed againſt the law of nature, or of God, becauſe they took order for the Churches affaires, and that even in the Court of Parliament. The moſt naturall and Religious courſe in making Lawes, is, that the matter of them be taken from the judgement of the wiſeſt in thoſe things which they are to concern; in matters of God to ſet down a form of prayer, a ſolemn Confeſſion of the Articles of the Chriſtian Faith, and Ceremonies meet for the exerciſe of Religion. It were unnaturall not to think the Paſtors and Biſhops of our Souls a great deale more fit, then men of Secular Trades, and Callings: Howbeit, when all which the wiſdome of all ſorts can doe, is done for the deviſing of Laws in the Church, it is the generall conſent of all that giveth them the form and vigour of Lawes, without which they could be no more unto us then the Councels of Phyſitians to the ſick; well might they ſeem as wholſome admonitions and Inſtructions, but Laws could they never be without conſent of the whole Church to be guided by them, whereunto both nature and the practice of the Church of God ſet down in Scripture, is found every way ſo fully conſonant, that God himſelfe would not impoſe, no not his own Lawes upon his people by the hand of *Moſes* without their free and open conſent. Wherefore to define and determine even of the Churches affaires by way of aſſent and approbation, as Lawes are

defined

defined of in that Right of Power, which doth give them the force of Lawes: thus to define of our own Churches Regiment, the Parliament of *England* hath competent Authority.

Touching that Supremacy of Power which our Kings have in this caſe of making Lawes, it reſteth principally in the ſtrength of a negative Voyce; which not to give them, were to deny them that without which they were Kings but by meer Title, and not in exerciſe of Dominion. Be it in Regiment Popular, Ariſtocraticall, or Regall, Principality reſteth in that perſon, or thoſe perſons unto whom is given right of excluding any kinde of Law whatſoever it be, before eſtabliſhment. This doth belong unto Kings, as Kings; Pagan Emperours, even *Nero* himſelfe had no leſſe; but much more then this in the Laws of his own Empire; that he challenged not any intereſt of giving Voyce in the Laws of the Church, I hope no man will ſo conſtrue, as if the cauſe were conſcience, and feare to incroach upon the Apoſtles right. If then it bee demanded by what right from *Conſtantine* downward, the Chriſtian Emperours did ſo farre intermeddle with the Churches affaires, either we muſt herein condemne them, as being over preſumptuouſly bold, or elſe judge that by a Law, which is termed *Regia*, that is to ſay Regall, the people having derived unto their Emperours their whole Power for making of Lawes, and by that meanes his Edicts being made Lawes, what matter ſoever they did concern, as Imperiall Dignity endewed them with competent Authority and Power to make Lawes for Religion, ſo they were thought by Chriſti-

§ *Item quod principi placuit, legis habet vigorem.* Inſt. de I.N.G.& C.

Chriſtianity to uſe their power being Chriſtians unto the benefit of the Church of Chriſt: was there any Chriſtian Biſhop in the world which did then judge this repugnant unto the dutifull ſubjection which Chriſtians doe owe to the Paſtors of their ſoules, to whom, in reſpect of their ſacred order, it is not by us, neither may be denyed, that Kings and Princes are as much, as the very meaneſt that liveth under them, bound in conſcience to ſhew themſelves gladly and willingly obedient, receiving the ſeales of ſalvation, the bleſſed Sacraments at their hands, as at the hands of our Lord Jeſus Chriſt, with all reverence, not diſdaining to be taught and admoniſhed by them, nor with-holding from them as much as the leaſt part of their due and decent honour? All which, for any thing that hath been alledged, may ſtand very well without reſignation of ſupremacy of Power in making Laws, even Laws concerning the moſt ſpirituall affaires of the Church; which Laws being made amongſt us, are not by any of us ſo taken or interpreted, as if they did receive their force from power which the Prince doth communicate unto the Parliament, or unto any other Court under him, but from Power which the whole body of the Realme being naturally poſſeſt with, hath by free and deliberate aſſent derived unto him that ruleth over them, ſo far forth as hath been declared; ſo that our Lawes made concerning Religion, doe take originally their eſſence from the power of the whole Realme and Church of *England*, then which nothing can be more conſonant unto the law of nature and the will of our Lord Jeſus Chriſt.

To let these goe, and returne to our owne Men; T.C.l.1.p.92. *Ecclesiasticall Governours*, they say, *may not meddle with making of Civil Lawes, and of Lawes for the Common-wealth; nor the Civil Magistrate, high or low, with making of Orders for the Church.* It seemeth unto me very strange, that these men which are in no cause more vehement and fierce, then where they plead that Ecclesiasticall persons may not κυριεύειν be Lords, should hold that the power of making Ecclesiasticall lawes, which thing of all other is most proper unto Dominion, belongeth to none but Ecclesiasticall persons onely: their oversight groweth herein for want of exact observation, what it is to make a Law. *Tully* speaking of the law of nature, saith, *That thereof God himself was* inventor, disceptator, lator, *the deviser, the discusser, and deliverer*: wherein he plainly alludeth unto the chiefest parts which then did appertaine to his publique action. For when Lawes were made, the first thing was to have them devised; the second to sift them with as much exactnesse of judgement as any way might be used; the next by solemne voyce of Soveraigne authority to passe them, and give them the force of Lawes. It cannot in any reason seeme otherwise then most fit, that unto Ecclesiasticall persons the care of devising Ecclesiasticall Lawes be committed, even as the care of Civil unto them which are in those affairs most skilfull. This taketh not away from Ecclesiasticall persons all right of giving voyce with others, when Civill Laws are proposed for regiment of the Common wealth, whereof themselves, though now the world would have them annihilated, are notwithstanding as

yet

yet a part; much leſſe doth it cut off that part of the power of Princes, whereby as they claime, ſo wee know no reaſonable cauſe wherefore wee may not grant them, without offence to Almighty God, ſo much authority in making all manner of Lawes within their own Dominions, that neither Civill, nor Eccleſiaſticall doe paſſe without their Royall aſſent.

In deviſing and diſcuſſing of Laws, wiſdome eſpecially is required; but that which eſtabliſheth them and maketh them, is power, even power of Dominion; the Chiefty whereof (amongſt us) reſteth in the perſon of the King. Is there any Law of Chriſts which forbiddeth Kings and Rulers of the earth to have ſuch ſoveraigne and ſupreme Power in the making of Lawes, either Civill or Eccleſiaſticall? If there be, our controverſie hath an end. Chriſt in his Church hath not appointed any ſuch law concerning Temporall power, as God did of old unto the Common-wealth of Iſrael; but leaving that to be at the worlds free choyce, his chiefeſt care is that the ſpirituall law of the Goſpell might be publiſhed far and wide. They that received the law of Chriſt, were for a long time people ſcattered in ſundry kingdoms, Chriſtianity not exempting them from the lawes which they had beene ſubject unto, ſaving onely in ſuch caſes as thoſe lawes did injoyne that which the Religion of Chriſt did forbid: Hereupon grew their manifold perſecutions throughout all places where they lived; as oft as it thus came to paſſe there was no poſſibility that the Emperours and Kings under whom they lived, ſhould meddle any whit at all with

making laws for the Church. From Christ therefore having received power, who doubteth, but as they did, so they might bind them to such orders as seemed fittest for the maintenance of their Religion, without the leave of high or low in the Common-wealth, for as much as in Religion it was divided utterly from them, and they from it. But when the mightiest began to like of the Christian faith, by their meanes whole free States and Kingdomes became obedient unto Christ. Now the question is, whether Kings by embracing Christianity, doe thereby receive any such law as taketh from them the weightiest part of that Soveraignty which they had even when they were heathens: whether being Infidels they might do more in causes of Religion, then now they can by the lawes of God, being true beleevers. For whereas in Regall States, the King or supreme Head of the Common-wealth, had before Christianity a supreme stroke in making of Lawes for Religion; he must by embracing Christian Religion utterly deprive himselfe thereof, and in such causes become subject unto his Subjects, having even within his own Dominions them whose Commandement he must obey; unlesse his power be placed in the head of some forrain spirituall Potentate: so that either a forrain or domesticall commander upon earth he must admit more now then before he had, and that in the chiefest things whereupon Common-wealths doe stand. But apparant it is unto all men which are not strangers unto the Doctrine of Jesus Christ, that no State of the world receiving Christianity, is by any law therein contained, bound to resigne the power which they lawfully held before: but over what persons

ſons, and in what cauſes ſoever the ſame hath beene in force, it may ſo remaine and continue ſtill. That, which as Kings they might doe in matters of Religion, and did in matter of falſe Religion, being Idolatrous and Superſtitious Kings, the ſame they are now even in every reſpect fully authorized to do in all affairs pertinent to the ſtate of true Chriſtian Religion. And concerning the ſupreme power of making Lawes for all perſons, in all cauſes to be guided by, it is not to be let paſſe, that the head enemies of this Headſhip are conſtrained to acknowledge the King endued even with this very power, ſo that hee may and ought to exerciſe the ſame, taking order for the Church and her affaires, of what nature or kind ſoever, in caſe of neceſſity, as when there is no lawfull Miniſtry, which they interpret then to be (and this ſurely is a point very remarkable) whereſoever the Miniſtery is wicked. A wicked Miniſtery is no lawfull Miniſtery, and in ſuch ſort no lawfull Miniſtery, that what doth belong unto them as Miniſters by right of their calling, the ſame to be annihilated in reſpect of their bad qualities; their wickedneſſe in it ſelfe a deprivation of right to deale in the affaires of the Church, and a warrant for others to deale in them which are held to be of a cleane other ſociety, the members whereof have beene before ſo peremptorily for ever excluded from power of dealing for ever with affairs of the Church. They which once have learned throughly this leſſon, will quickly be capable perhaps of another equivalent unto it. For the wickedneſſe of the Miniſtery tranſferres their right unto the King; in caſe the King be as wicked as they, to whom then ſhall the right

T.C.l. 3. 11

deſcend? There is no remedy, all muſt come by devolution at length, even as the family of *Browne* will have it, unto the godly among the people, for confuſion unto the wiſe and the great by the poore and the ſimple: ſome *Kimberdoling* with his retinue muſt take this work of the Lord in hand; and the making of Church Lawes and Orders, muſt prove to be their right in the end. If not for love of the truth, yet for ſhame of groſſe abſurdities, let theſe contentions and ſtifling fancies be abandoned. The cauſe which moved them for a time to hold a wicked Miniſtery no lawfull Miniſtery, and in this defect of a lawfull Miniſtery, authorized Kings to make Lawes and Orders for the affaires of the Church, till it were well eſtabliſhed, is ſurely this. Firſt, they ſee that whereas the continuall dealing of the Kings of Iſrael in the affaires of the Church, doth make now very ſtrong againſt them, the burthen whereof they ſhall in time well enough ſhake off, if it may be obtained that it is indeed lawfull for Kings to follow theſe holy examples; howbeit no longer then during the caſe of neceſſity, while the wickednesſe, and in reſpect thereof the unlawfulneſſe of the Miniſtery doth continue. Secondly, they perceive right well, that unleſſe they ſhould yeeld authority unto Kings in caſe of ſuch ſuppoſed neceſſity, the Diſcipline they urge were cleane excluded, as long as the Clergy of *England* doth thereunto remaine oppoſite. To open therefore a doore for her entrance, there is no remedy but the tenent muſt be this; That now when the Miniſtery of *England* is univerſally wicked, and in that reſpect hath loſt all authority, and is become no lawfull

full Miniſtery, no ſuch Miniſtery as hath the right, which otherwiſe ſhould belong unto them if they were vertuous and godly, as their adverſaries are; in this neceſſity the King may doe ſomewhat for the Church: that which we doe imply in the name of Headſhip, he may both have and exerciſe till they be entred, which will disburthen and eaſe him of it: till they come, the King is licenced to hold that power which we call headſhip. But what afterwards? In a Church ordered, that which the ſupreme Magiſtrate hath, is to ſee that the Lawes of God touching his Worſhip, and touching all matters and orders of the Church, be executed and duly obſerved; to ſee that every Eccleſiaſticall perſon do that office whereunto he is appointed, to puniſh thoſe that faile in their office. In a word, that which *Allen* himſelfe acknowledgeth unto the earthly Power which God hath given him, it doth belong to defend the Lawes of the Church; to cauſe them to be executed, and to puniſh rebels and tranſgreſſors of the ſame: on all ſides therfore it is confeſt, that to the King belongeth power of maintaining the Laws made for Church regiment, and of cauſing them to be obſerved; but principality of Power in making them, which is the thing wee attribute unto Kings, this both the one ſort, and the other doe withſtand.

T.C. li. 1. p. 192.

A. ob. fol. 42. p. 2.

Touching the Kings ſupereminent authority in commanding, and in judging of cauſes Eccleſiaſticall, First, to explain therein our meaning, It hath been taken as if we did hold, that Kings may preſcribe what themſelves think good to be done in the ſervice of God: how the Word ſhall be taught, how the Sacraments adminiſtred; that Kings may perſonally ſit in

Power to command all perſons, and to be over all Iudges in cauſes Eccleſiaſticall.

in the Conſiſtory where the Biſhops doe, hearing and determining what cauſes ſoever doe appertaine unto the Church. That Kings and Queenes in their own proper perſons are by judiciall ſentence to decide the queſtions which do riſe about matters of Faith and Chriſtian Religion; that Kings may excommunicate; finally, that Kings may doe whatſoever is incident unto the office and duty of an Eccleſiaſticall Judge; which opinion, becauſe we account as abſurd, as they who have fathered the ſame upon us, we doe them to wit, that this our meaning is and no otherwiſe. There is not within this Realme an Eccleſiaſticall officer, that may by the authority of his own place command univerſally throughout the Kings Dominions; but they of this people whom one may command, are to an others commandement unſubject; only the Kings Royall power is of ſo large compaſſe, that no man commanded by him according to the order of Law, can plead himſelfe to be without the bounds and limits of that authority. I ſay according to order of Law, becauſe that with us the higheſt have thereunto ſo tyed themſelves, that otherwiſe then ſo they take not upon them to command any. And that Kings ſhould be in ſuch ſort ſupreme Commanders over all men, we hold it as requiſite as well for the ordering of Spirituall as Civill affaires; in as much as without univerſall authority in this kind, they ſhould not bee able when need is, to doe as vertuous Kings have done. *Ioſiah purpoſing to renew the houſe of the Lord, aſſembled the Prieſts and Levites, and when they were together, gave them their charge, ſaying: Go out unto the cities of Iudah, and gather of Iſrael money to repair the houſe of God from year to year, and haſte the things:*

2 Chron. 24. ver. 5, 6, 7, 8, 9.

But

But the Levites haſted not. Therefore the King called Jehoiada, *the Chiefe, and ſaid unto him; why haſt thou not required of the Levites to bring in out of* Iudah *and* Ieruſalem, *the Tax of* Moſes, *the ſervant of the Lord, and of the Congregation of* Iſrael, *for the Tabernacle of the Teſtimony? For wicked* Athalia, *and her children brake up the Houſe of the Lord God, and all the things that were dedicated for the Houſe of the Lord, did they beſtow upon* Balaam. *Therefore the King commanded, and they made a Cheſt, and ſet it at the gate of the Houſe of the Lord without, and they made a Proclamation through* Iudah *and* Ieruſalem, *to bring unto the Lord, the Tax of* Moſes *the ſervant of the Lord, laid upon* Iſrael *in the Wilderneſſe.* 2 *Chron.* 6. 30. *v.* 6. Could either he have done this, or after him *Ezechias* the like concerning the celebration of the Paſſeover, but that all ſorts of men in all things did owe unto theſe their Soveraign Rulers, the ſame obedience, which ſometimes *Ioſuah* had them by vow and promiſe bound unto? *Ioſ.* 1. *v.* 18. *whoſoever ſhall rebell againſt thy Commandements, and will not obey thy words in all thou commandeſt him, let him be put put to death: onely be ſtrong and of a good courage.* Furthermore, Judgment Eccleſiaſticall we ſay is neceſſary for deciſion of Controverſies riſing between man and man, and for correction of faults committed in the affaires of God, unto the due execution whereof there are three things neceſſary, Lawes, Judges, and Supream Governours of Judgements; what Courts there ſhall be, and what cauſes ſhall belong unto each Court, and what Judges ſhall determine of every cauſe, and what order in all judgements ſhall be kept; of thoſe things the Lawes have ſufficiently di-

ſpoſed, ſo that his duty who ſitteth in any ſuch Court, is to judge, not of, but after the ſame Law. *Inprimis illud obſervare debet Iudex: ne aliter judicet quam legibus, conſtitutionibus, aut moribus proditum eſt, ut Imperator Iuſtinianus*; which Lawes (for we meane the poſitive Lawes of our Realm, concerning Eccleſiaſticall affaires) if they otherwiſe diſpoſe of any ſuch thing, then according to the Law of reaſon, and of God, we muſt both acknowledge them to be amiſſe, and endevour to have them reformed: But touching that point, what may be objected, ſhall after appear. Our Judges in cauſes Eccleſiaſticall, are either Ordinary or Commiſſionary; Ordinary, thoſe whom we term Ordinaries; & ſuch by the Laws of this Land are none but Prelates only, whoſe power to do that which they do, is in themſelves and belonging to the nature of their Eccleſiaſticall calling. In ſpirituall cauſes, a Lay perſon may be no Ordinary; a Commiſſionary Judge there is no let but that he may be; and that our Lawes doe evermore refer the ordinary judgement of ſpirituall cauſes unto ſpiritual perſons, ſuch as are termed Ordinaries, no man which knoweth any of the practice of this Realme, can eaſily bee ignorant. Now beſides them which are Authorized to judge in ſeverall Territories, there is required an univerſall Power which reacheth over all, imparting Supream Authority of Government, over Courts, all Iudges, all Cauſes, the operation of which power is as well to ſtrengthen, maintain and uphold particular Iuriſdictons, which haply might elſe be of ſmall effect: as alſo to remedy that which they are not able to help, and to redreſſe that wherein they at any time doe otherwiſe

Inſt. d. offic. fid.

otherwiſe then they ought to doe. This power being ſometime in the Biſhop of *Rome*, who by ſiniſter practiſes had drawn it into his hands, was for juſt conſiderations by publick conſent annexed unto the Kings Royall Seat and Crown; from thence the Authors of Reformation would tranſlate it into their National Aſſemblies or Synods, which Synods are the only helps that they think lawfull to uſe againſt ſuch evils in the Church as particular Iuriſdictions are not ſufficient to redreſſe. In which cauſe, our Lawes have provided that the Kings ſupreminent Authority and Power ſhall ſerve. As namely, when the whole Eccleſiaſticall State, or the principall perſons therein, do need viſitation and reformation; when in any part of the Church Errors, Schiſms, Hereſies, abuſes, offences, contemps, enormities, are grown; which men in their ſeverall Iuriſdictions, either doe not or cannot help. Whatſoever any Spirituall Authority and Power (ſuch as Legates from the See of *Rome* did ſometimes exerciſe) hath done, or might heretofore have done, for the remedy of thoſe evils in lawfull ſort (that is to ſay, without the violation of the Lawes of God, or nature in the deed done) as much in every degree our Lawes have fully granted, that the King for ever may doe, not only by ſetting Eccleſiaſticall Synods on work, that the thing may be their act, and the King their motion unto it, for ſo much perhaps the Maſters of Reformation will grant: But by Commiſſions few or many, who having the Kings Letters Patents, may in the vertue thereof execute the premiſes as Agents in the right, not of their own peculiar and Ordinary, but of his ſupereminent power. When men

1 El. c. 1.

are wronged by inferiour Iudges, or have any iuſt cauſe to take exception againſt them, their way for redreſſe, is to make their appeal; and appeal is a preſent delivery of him which maketh it, out of the hands of their power and juriſdictions from whence it is made. Pope *Alexander* having ſometimes the King of *England* at advantage, cauſed him amongſt other things to agree, that as many of his Subjects as would, might have appeal to the Court of *Rome*. *And thus* (ſaith one) *that whereunto a mean perſon at this day would ſcorn to ſubmit himſelf, ſo great a King was content to be ſubject. Notwithſtanding even when the Pope* (ſaith he) *had ſo great Authority amongſt Princes which were farre of, the* Romans *he could not frame to obedience, nor was able to obtain that himſelf might abide at* Rome, *though promiſing not to meddle with other then Eccleſiaſticall affaires.* So much are things that terrifie, more feared by ſuch as behold them aloofe off then at hand. Reformers I doubt not in ſome cauſes will admit appeales, but appeals made to their Synods, even as the Church of *Rome* doth allow of them, ſo they be made to the Biſhop of *Rome*. As for that kinde of appeal which the Engliſh Lawes doe approve from the Iudge of any certain particular Court unto the King, as the only Supream Governour on earth, who by his Delegates may give a finall definitive Sentence from which no farther appeale can be made: will their platform allow of this? Surely, foraſmuch as in that eſtate which they all dreame of, the whole Church muſt be divided into Pariſhes, in which none can have greater or leſſe Authority and power then an other: againe, the King himſelfe muſt be but as a common

Machiavell. hiſtor. florent. l. 1. fol. 22.

26 Hen. 8. cap. 19.

common member in the body of his own Pariſh, and the cauſes of that only Pariſh muſt be by the Officers thereof determinable. In caſe the King had ſo much favour or preferment as to be made one of thoſe Officers (for otherwiſe by their poſitions, he were not to meddle any more then the meaneſt amongſt his Subjects with the judgements of any Eccleſiaſticall cauſe) how is it poſſible they ſhould allow of Appeals to be made from any other abroad to the King? To receive Appeals from all other Iudges, belongeth unto the higheſt in Power of all, and to be in Power over all (as touching judgement in Eccleſiaſticall cauſes) this as they think belongeth only to Synods. Whereas therefore with us, Kings doe exerciſe over all things, perſons, and cauſes Supream Power, both of voluntary and litigious Iuriſdictions; ſo that according to the one they incite, reform, and command, according to the other, they judge univerſally, doing both in farre other ſort then ſuch as have ordinary Spirituall Power; oppugned we are herein by ſome colourable ſhew of argument, as if to grant thus much to any Secular Perſon, it were unreaſonable. *For ſith it is* (ſay they) *apparant out of the Chronicles, that judgement in Church matters pertaineth to God; Seeing likewiſe it is evident out of the* * *Apoſtles, that the high Prieſt is ſet over thoſe matters in Gods behalf, it muſt needs follow that the Principality or direction of the judgment of them, is by Gods Ordinance appertaining to the high Prieſt, and conſequently to the Miniſtry of the Church, and if it be by Gods Ordinance appertaining unto them, how can it be tranſlated from them to the Civil Magiſtrate?* which Argument briefly drawn into forme,

T.C.l.3.p.154.

2 Chro.19.5.

* Heb.5.1.

lyeth thus, That which belongeth unto God, may not be transſlated unto any other, but whom he hath appointed to have it in his behalfe: But principality of judgement in Church matters appertaineth unto God, which hath appointed the high Prieſt, and conſequently the Miniſtery of the Church alone to have it in his behalfe. *Ergo*, It may not from them be tranſlated to the Civill Magiſtrate. The firſt of which propoſitions we grant, as alſo in the ſecond, that branch which aſcribeth unto God Principality in Church matters. But that either he did appoint none but only the high Prieſt to exerciſe the ſaid Principality for him, or that the Miniſtery of the Church may in reaſon from thence be concluded to have alone the ſame Principality by his appointment; theſe two points we deny utterly. For concerning the high Prieſt, there is firſt no ſuch Ordinance of God to bee found: *Every high Prieſt* (ſaith the Apoſtle) *is taken from amongſt men, and is ordained for men in things pertaining to God*; whereupon it may well be gathered, that the Prieſt was indeed Ordained of God to have Power in things appertaining unto God. For the Apoſtle doth there mention the Power of offering gifts and ſacrifices for ſin, which kinde of Power was not only given of God unto Prieſts, but reſtrained unto Prieſts only. The Power of Iuriſdiction and ruling Authority, this alſo God gave them, but not them alone: For it is held, as all men know, that others of the Laity were herein joyned by the Law with them. But concerning Principality in Church affaires, (for of this our queſtion is and of no other) the Prieſt neither had it alone, nor at all

Heb. 5. 1.

all but in ſpirituall or Church affaires, (as hath been already ſhewed) it was the Royall Prerogative of Kings only. Againe, though it were ſo that God had appointed the high Prieſt to have the ſaid Principality of Government in thoſe matters; yet how can they who alleadge this, enforce thereby, that conſequently the Miniſtry of the Church, and no other, ought to have the ſame, when they are ſo far off from allowing ſo much to the Miniſtry of the Goſpel, as the Prieſt-hood of the Law had by Gods appointment: That we but collecting thereout a difference in Authority and Iuriſdiction amongſt the Clergy to be for the Policy of the Church not inconvenient; they forthwith think to cloſe up our mouthes by anſwering, *That the Iewiſh high Prieſt had Authority above the reſt, only in that they prefigured the Soveraignty of Ieſus Chriſt; as for the Miniſters of the Goſpel, it is altogether unlawfull to give them as much as the leaſt title, any ſyllable whereof may ſound to Principality.* And of the Regency which may be granted, they hold others even of the Laity, no leſſe capable then the Paſtors themſelves. How ſhall theſe things cleave together? The truth is, that they have ſome reaſon to think it not all of the fitteſt for Kings, to ſit as ordinary Iudges in matters of Faith and Religion. An ordinary Iudge muſt be of the quality which in a ſupream Iudge is not neceſſary, becauſe the perſon of the one is charged with that which the others Authority diſchargeth, without imploying perſonally himſelfe therein. It is an errour to think that the Kings Authority can have no force nor power in the doing of that which himſelfe may not perſonally doe.

doe. For first, impossible it is, that at one and the same time, the King in person should order so many, and so different affaires, as by his Power everywhere present are wont to be ordered both in peace and at warre, at home and abroad. Again, the King in regard of his nonage or minority, may bee unable to performe that thing wherein yeares of discretion are requisite for personall action; and yet this Authority even then be of force. For which cause we say, that the Kings Authority dyeth not, but is and worketh alwayes alike. Sundry considerations there may bee effectuall, to with-hold the Kings person from being a doer of that which notwithstanding his Power must give force unto, even in Civill affairs; where nothing doth more either concern the duty, or better beseem the Majesty of Kings, then personally to administer Iustice to their People (as most famous Princes have done;) yet if it be in case of Felony or Treason, the Learned in the Lawes of this Realm doe affirm, that well may the King commit his Authority to another, to judge between him and the offender, but the King being himself there a party, he cannot personally sit to give judgement.

Stamf. Pleas of the Crown, lib. 2. cap. 3.

FINIS.

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OF

THE LAWES

OF

Eccleſiaſticall Policy,

The *Sixth* and *Eighth* Books.

BY

RICHARD HOOKER.

A work long expected, and now publiſhed according to the moſt Authentique Copies.

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To the Reader.

HEre is presented unto thee, *Two of the Three so long expected and much desired Books of Learned Mr* Hookers *Ecclesiasticall Policy*; viz. *the Sixth and the Eight, as they were preserved in the hands of those Mirrours of Learning, Dr* Andrewes *late Lord Bishop of* Winchester, *and the present Dr* Usher *Lord Archbishop of* Armagh, *with great hopes the Seventh would have been recovered, that they might have been published to the Worlds view at once: but endevours used to that purpose have hitherto proved fruitlesse. And now fearing that some erronious, if not counterfeit Copies might come abroad, hath occasioned the Publishing of these, to prevent as much as may be any addition of abuses to the Author; and also that he which so much desired the Vnity of the Church, might have the divided members of his Labours united.*

OF

THE LAWES OF Eccleſiaſticall Politie:

The ſixth Book;

Containing their fifth Aſſertion:

That our Lawes are corrupt and repugnant to the Lawes of God, in matter belonging to the power of Eccleſiaſticall Iuriſdiction, in that we have not throughout all Churches certaine Lay-Elders eſtabliſhed for the exerciſe of that Power.

THe ſame men which in heat of contention, doe hardly either ſpeak or give eare to reaſon, being after ſharp and bitter conflicts, retired to a calm remembrance of all their former proceedings; the Cauſes that brought them into quarrell, the courſe which their ſtriving affections have followed, and the iſſue whereunto they are come, may peradventure as troubled waters, in

The queſtion between us, whether all Congregations, or Pariſhes ought to have Lay-Elders inveſted with Power of Iuriſdiction in ſpirituall cauſes.

ſmall time of their own accord, by certain eaſie degrees ſettle themſelves againe, and ſo recover that clearneſſe of well adviſed judgement, whereby they ſhall ſtand at the length indifferent, both to yeeld and admit any reaſonable ſatisfaction, where before they could not endure with patience to be gaineſaid. Neither will I diſpaire of the like ſucceſſe in theſe unpleaſant Controverſies touching Eccleſiaſticall Policy, the time of ſilence which both parts have willingly taken to breathe, ſeeming now as it were a pledge of all mens quiet contentment, to heare with more indifferency the waightieſt and laſt remaines of that Cauſe, Juriſdiction, Dignity, Dominion Eccleſiaſticall. For, let any man imagine, that the bare and naked difference of a few Ceremonies could either have kindled ſo much fire, or have cauſed it to flame ſo long; but that the parties which herein laboured mightily for change, and (as they ſay) for Reformation, had ſomewhat more then this marke whereat to aime.

Lib. 6. Lib. 7. Lib. 8.

Having therefore drawn out a compleat Forme, as they ſuppoſe, of publick ſervice to be done to God, and ſet down their plot for the Office of the Miniſtry in that behalfe; they very well knew, how little their labours ſo farre forth beſtowed, would availe them in the end, without a claime of Juriſdiction to uphold the Fabrick which they had erected; and this neither likely to be obtained, but by the ſtrong hand of the people, nor the people unlikely to favour it; the more, if overture were made of their own intereſt, right and title thereunto. Whereupon there are many which have conjectured this to

be

be the cauſe, why in all the projects of their Diſcipline, (it being manifeſt that their drift is, to wreſt the Key of Spirituall Authority out of the hands of former Governours, and equally to poſſeſſe therewith the Paſtors of all ſeverall Congregations) the people firſt for ſurer accompliſhment, and then for better defence thereof, are pretended neceſſary Actors in thoſe things, whereunto their ability for the moſt part is as ſlender, as their title and challenge unjuſt.

Notwithſtanding (whether they ſaw it neceſſary for them to perſwade the people, without whoſe help they could doe nothing, or elſe (which I rather think) the affection which they beare towards this new Forme of Government, made them to imagine it God's own Ordinance,) Their Doctrine is, That by the Law of God, there muſt be for ever in all Congregations certaine Lay-Elders, Miniſters of Eccleſiaſticall Juriſdiction, in as much as our Lord and Saviour by Teſtament (for ſo they preſume) hath left all Miniſters or Paſtors in the Church Executors equally to the whole power of ſpirituall Juriſdiction, and with them hath joyned the people as Colleagues. By maintenance of which aſſertion, there is unto that part apparently gained a twofold advantage, both becauſe the people in this reſpect are much more eaſily drawn to favour it, as a matter of their own intereſt; and for that, if they chance to be croſſed by ſuch as oppoſe againſt them, the colour of Divine Authority, aſſumed for the grace and countenance of that power in the Vulgar ſort, furniſheth their leaders with great abundance of matter behovefull for

their encouragement, to proceed alwayes with hope of fortunate ſucceſſe in the end, conſidering their cauſe to be as *David*'s was, a juſt defence of power given them from above, and conſequently their Adverſaries quarrell the ſame with *Saul*'s by whom the Ordinance of God was withſtood.

Now on the contrary ſide, if this their ſurmiſe prove falſe; if ſuch, as in Juſtification whereof no evidence ſufficient either hath been or can be alleadged (as I hope it ſhall clearly appeare after due Examination and triall) let them then conſider whether thoſe words of *Corah*, *Dathan* and *Abiram* againſt *Moſes* and againſt *Aaron*, *it is too much that yee take upon you, you ſeeing all the Congregation is holy*, be not the very true abſtract and abridgement of all their publiſhed Admonitions, Demonſtrations, Supplications, and Treatiſes whatſoever, whereby they have laboured to void the roomes of their ſpirituall Superiours before Authorized, and to advance the new fancied Scepter of Lay-Presbyteriall Power.

Numb. 16.

The Nature of Spirituall Iuriſdiction.

But before there can be any ſetled Determination, whether Truth doe reſt on their part, or on ours, touching Lay-Elders, we are to prepare the way thereunto, by Explication of ſome things requiſite, and very needfull to be conſidered, as firſt how beſides that Spirituall Power, which is of Order, and was inſtituted for performance of thoſe duties, whereof there hath been ſpeech already had, there is in the Church no leſſe neceſſary, a ſecond kinde, which we call the power of Juriſdiction. When the Apoſtle doth

doth speak of ruling the Church of God, and of receiving accusations, his words have evident reference, to the power of Jurisdiction. Our Saviour words to the power of Order, when he giveth his Disciples charge, saying, *Preach, Baptize: Do this in remembrance of me.* Τιμᾶ μὲν τὸν Θεὸν ὡς αἴτιον τῶν ὅλων καὶ κύριον. Ἐπίσκοπον δὲ ὡς ἀρχιερέα Θεοῦ εἰκόνα φορεῦντα, κατὰ μὲν τὸ ἄρχειν Θεοῦ, κατὰ δὲ τὸ ἱερατεύειν Χριστοῦ, *Epist. ad Smirn.* A Bishop saith (*Ignatius*) doth bear the Image of God and of Christ, of God in ruling, of Christ in admiministing holy things: By this therefore we see a manifest difference acknowledged between the power of Ecclesiasticall Order, and the power of Jurisdiction Ecclesiasticall.

Act. 20. 28. 1 *Tim.* 5. 19. *Marc.* 16. 15. *Mat.* 28. 10. 1 *Cor.* 11. 24

The spirituall power of the Church, being such as neither can be challenged by right of nature, nor could by humane authority be instituted, because the forces and effects thereof are supernaturall and Divine, we are to make no doubt or question, but that from him which is the Head, it hath descended unto us that are the Body now invested therewith. He gave it for the benefit and good of soules, as a meane to keep them in the Path which leadeth unto endlesse felicity, a bridle to hold them within their due and convenient bounds, and if they do goe astray, a forcible help to reclaime them: Now although there be no kinde of spirituall power, for which our Lord Jesus Christ did not give both Commission to exercise, and direction how to use the same, although his Lawes in that behalfe recorded by the holy Evangelists bee the only ground and foundation, whereupon the practice of the Church must sustaine

it ſelf: yet as all multitudes once grown to the form of ſocieties are even thereby naturally warranted, to enforce upon their own ſubjects particularly thoſe things, which publike wiſdome ſhall judge expedient for the common good: ſo it were abſurd to imagine the Church it ſelfe the moſt glorious amongſt them abridged of this liberty, or to think that no Law, conſtitution or Canon, can be further made, either for limitation, or amplification, in the practice of our Saviours Ordinances, whatſoever occaſion be offered through variety of times, and things, during the ſtate of this inconſtant world, which bringeth forth daily ſuch new evils, as muſt of neceſſity by new remedies be redreſt, did both of old enforce our venerable Predeceſſor, and will alwayes conſtraine others, ſometime to make, ſometime to abrogate, ſometime to augment, and againe to abridge ſometime; in ſumme, often to vary, alter and change cuſtomes, incident into the manner of exerciſing that power which doth it ſelfe continue alwayes one and the ſame: I therefore conclude, that ſpirituall authority is a power which Chriſt hath given to be uſed over them which are ſubject unto it for the eternall good of their ſoules according to his own moſt Sacred Laws, and the wholſome poſitive Conſtitutions of his Church.

In Doctrine referred unto action and practice, as this is, which concernes ſpirituall Iuriſdiction, the firſt ſound and perfect underſtanding is the knowledge of the end, becauſe thereby both uſe doth frame, and contemplation judge all things.

of

Of Penitency, the chiefeſt end propounded by Spirituall Iuriſdiction. Two kinds of Penitency; the one a private duty toward God, the other a duty of externall Diſcipline. Of the vertue of Repentance from which the former dutypro-ceedeth: And of Contrition the firſt part of that duty.

SEeing that the chiefeſt cauſe of ſpirituall Iuriſdiction is to provide for the health and ſafety of mens ſoules, by bringing them to ſee and repent their grievous offences committed againſt God, as alſo to reform all injuries offered with the breach of Chriſtian love and charity, toward their brethren, in matters of Eccleſiaſticall cognizance; the uſe of this power, ſhall by ſo much the plainlier appeare, if firſt the nature of Repentance it ſelfe be known.

We are by repentance to appeaſe whom we offend by ſinne. For which cauſe, whereas all ſinne deprives us of the favour of Almighty God, our way of reconciliation with him, is the inward ſecret repentance of the heart; which inward repentance alone ſufficeth, unleſſe ſome ſpeciall thing, in the quality of ſinne committed, or in the party that hath done amiſſe, require more. For beſides our ſubmiſſion in God's ſight, repentance muſt not only proceed to the private contentation of men, if the ſinne be a crime injurious; but alſo farther, where the wholſome Diſcipline of God's Church exacteth a more exemplary and open ſatisfaction. Now the Church being ſatisfied with outward repentance, as God is with inward, it ſhall not be amiſſe, for more per-

Panitentiæ ſecundæ, & unius quanto in actu negotium eſt, tanto potior probatio eſt ut non ſola conſcientia proferatur, ſed aliquo etiam actu adminiſtretur.

Second penitency following that before Baptism, and being not more then once admitted in one man, requireth by so much the greater labour to make it manifest, for that it is not a work which can come again in tryall, but must be therefore with some open solemnity executed, and not left to be discharged with the privity of conscience alone. *Tertul. de pæ.*

perpiscuity to terme this later alwayes the Vertue, that former the Discipline of repentance: Which Discipline hath two sorts of Penitents to work upon, in as much as it hath been accustomed to lay the offices of repentance on some, seeking others, shunning them, on some at their own voluntary request, on others altogether against their wills, as shall hereafter appeare by store of ancient examples. Repentance being therefore either in the sight of God alone, or else with the notice also of men: Without the one, sometime throughly performed, but alwayes practised more or lesse, in our daily devotions and prayers, we have no remedy for any fault: Whereas the other is only required in sinnes of a certain degree and quality; the one necessary for ever, the other so farre forth as the Lawes and Orders of God's Church shall make it requisite; the nature, parts and effects of the one alwayes the same; the other limited, extended, varied by infinite occasions.

The Vertue of repentance in the heart of man is God's handy work, a fruit or effect of Divine grace, which grace continually offereth it selfe, even unto them that have forsaken it, as may appeare by the words of Christ in S. *Iohn's* Revelation, *I stand at the door and knock:* Nor doth he only knock without, but also within assist to open, whereby accesse and entrance is given to the heavenly presence, of that saving power, which maketh man a repaired Temple for God s good Spirit again to inhabite. And albeit the whole traine of vertues which are implied in the name of grace be infused at one instant; yet because when

when they meet and concurre unto any effect in man, they have their diſtinct operations riſing orderly one from another; it is no unneceſſary thing that we note the way or method of the holy Ghoſt, in framing man's ſinfull heart to repentance: A work, the firſt foundation whereof is laid by opening and illuminating the eye of faith, becauſe by faith are diſcovered the principles of this action, whereunto unleſſe the underſtanding doe firſt aſſent, there can follow in the will towards penitency no inclination at all: Contrariwiſe the reſurrection of the dead, the judgement of the world to come, and the endleſſe miſery of ſinners being apprehended, this worketh feare, ſuch as theirs was, who feeling their own diſtreſſe and perplexity in that paſſion, beſought our Lords Apoſtles earneſtly to give them counſell what they ſhould doe. For feare is impotent and unable to adviſe it ſelfe; yet this good it hath, that men are thereby made deſirous to prevent, if poſſibly they may, whatſoever evill they dread: The firſt thing that wrought the *Niniviites* repentance, was feare of deſtruction within fourty dayes; ſigns and miraculous works of God, being extraordinary repreſentations of Divine power, are commonly wont to ſtirre any the moſt wicked with terrour, leſt the ſame power ſhould bend it ſelfe againſt them: And becauſe tractable minds, though guilty of much ſinne, are hereby moved to forſake thoſe evill wayes, which make his power in ſuch ſort their aſtoniſhment and feare; therefore our Saviour denounced his curſe againſt *Corahzin* and *Bethſaida*, ſaying, that if *Tyre* and *Sydon* had ſeen that which they did, thoſe ſigns which pre-

vailed little with the one, would have brought the others repentance. As the like thereunto did in the men given to curious Arts, of whom the Apostolike History saith, That *Feare came upon them, and many which had followed vaine sciences, burnt openly the very books out of which they had learned the same*; As feare of contumely and disgrace amongst men, together with other civill punishments, are a bridle to restraine from any hainous acts, whereinto mens outrage would otherwise break; so the feare of Divine revenge and punishment where it taketh place, doth make men desirous to be rid likewise from that inward guiltinesse of sinne, wherein they would else securely continue. Howbeit, when Faith hath wrought a feare of the event of sinne, yet repentance hereupon ensueth not, unlesse our beliefe conceive both the possibility and meanes to avert evill: the possibility in as much as God is mercifull, and most willing to have sinne cured; the meanes, because he hath plainly taught what is requisite, and shall suffice unto that purpose. The nature of all wicked men, is, for fear of revenge to hate whom they most wrong; the nature of hatred, to wish that destroyed which it cannot brook; and from hence ariseth the furious endeavours of godlesse and obdurate sinners, to extinguish in themselves the opinion of God, because they would not have him to be, whom execution of endlesse wo doth not suffer them to love.

Every sinne against God abateth, and continuance in sinne extinguisheth our love towards him: It was therefore said to the Angel of *Ephesus* having sinned, *Thou art fallen away from thy first love*; so that, as we never

never decay in love till we ſinne, in like ſort neither can we poſſibly forſake ſinne, unleſſe we firſt begin againe to love. What is love towards God, but a deſire of union with God? And ſhall we imagine a ſinner converting himſelfe to God, in whom there is no deſire of union with God preſuppoſed? I therefore conclude, that feare worketh no mans inclination to repentance, till ſomewhat elſe have wrought in us love alſo: Our love and deſire of union with God ariſeth from the ſtrong conceit which we have of his admirable goodneſſe: The goodneſſe of God which particularly moveth unto repentance, is his mercy towards mankind, notwithſtanding ſinne: For let it once ſink deeply into the minde of man, that howſoever we have injuried God, his very nature is averſe from revenge, except unto ſinne we adde obſtinacy; otherwiſe alwayes ready to accept our ſubmiſſion, as a full diſcharge or recompence for all wrongs; and can we choſe but begin to love him whom we have offended, or can we but begin to grieve that we have offended him whom we love? Repentance conſidereth ſinne as a breach of the Law of God, an act obnoxious to that revenge, which notwithſtanding may be prevented, if we pacifie God in time.

The root and beginning of penitency therefore, is the conſideration of our own ſinne, as a cauſe which hath procured the wrath, and a ſubject which doth need the mercy of God: For unto mans underſtanding, there being preſented on the one ſide, tribulation and anguiſh upon every ſoule that doth evill: on the other, eternall life unto them which by continuance

nuance in well doing, ſeek glory, and honour, and immortality; on the one hand, a curſe to the children of diſobedience; on the other, to lovers of righteouſneſſe, all grace and benediction; yet between theſe extreams, that eternall God from whoſe unſpotted juſtice and undeſerved mercy, the lot of each inheritance proceedeth, is ſo inclinable, rather to ſhew compaſſion then to take revenge, that all his ſpeeches in holy Scripture are almoſt nothing elſe but entreaties of men to prevent deſtruction by amendment of their wicked lives; all the works of his providence little other then meere allurements of the juſt to continue ſtedfaſt, and of the unrighteous to change their courſe; all his dealings and proceedings towards true Converts, as have even filled the grave Writings of holy men, with theſe and the like moſt ſweet ſentences: Repentance (if I may ſo ſpeak) ſtoppeth God in his way, when being provoked by crimes paſt, he commeth to revenge them with moſt juſt puniſhments; yea, it tyeth as it were the hands of the avenger, and doth not ſuffer him to have his will: Againe,

Cajus Col. 10. c. 4

* Baſil. Epiſt. Seleuc. p. 106. τιλάνθρωπον βλέμμα προείσαν αἰδεῖται μετάνοιαν. Chry. in 1 Cor. hom. 8. ὁ τὸ τρωθῆναι ἧττον δεινὸν, ὡς τὸ τρωθέντα μὴ ζητεῖν θεραπεύεσθαι. Marc. Erem. ἀδεὴς κατεκρίθη εἰ μὴ μετανοίας κατιερόησε, καὶ ἀδεὴς ἐδικαιώθη εἰ μὴ ταυτῆς ἐφιμελῆ.

*The mercifull eye of God towards men, hath no power to withſtand penitencie, at what time ſoever it comes in preſence: And againe,

God doth not take it ſo in evill part, though we wound that which he hath required us to keep whole, as that after we have taken hurt, there ſhould be in us no deſire to receive his help. Finally, leaſt I be carried too farre in ſo large a Sea, There was never any man condemned of God but for neglect; nor juſtified, except he had care of repentance.

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From theſe conſiderations, ſetting before our eyes our inexcuſable, both unthankfulneſſe in diſobeying ſo mercifull, fooliſhneſſe in provoking ſo powerfull a God; there ariſeth neceſſarily a penſive and corroſive deſire, that we had done otherwiſe; a deſire which ſuffereth us to forſlow no time, to feele no quietneſſe within our ſelves, to take neither ſleep nor food with contentment, never to give over ſupplications, confeſſions, and other penitent duties, till the light of God's reconciled favour, ſhine in our darkned ſoule.

Fulgentius asking the queſtion, why *David*'s confeſſion ſhould be held for effectuall penitence and not *Sauls*; anſwereth, that the one hated ſinne, the other feared only puniſhment in this world: *Saul*'s acknowledgement of ſinne was feare, *David*'s both feare and alſo love. *Fulgentius de remi. peccat lib. 2. cap. 15.*

This was the fountaine of *Peter*'s teares, this the life and ſpirit of *David*'s eloquence, in thoſe moſt admirable Hymnes intitled *Penitentiall*, where the words of ſorrow for ſin, doe melt the very bowels of God remitting it, and the comforts of grace in remitting ſinne', carry him which ſorrowed, rapt as it were into heaven with extacies of joy and gladneſſe. The firſt motive of the *Ninivites* unto repentance was their beliefe in a ſermon of feare, but the next and moſt immediate, an axiome of love; *Who can tell whether God will turn away his fierce wrath, that we periſh not:* No concluſion ſuch as theirs, let every man turn from his evill way, but out of premiſſes ſuch as theirs were, fear and love: Wherefore the well-ſpring of repentance is faith, firſt breeding fear, and then *Iona c. 3. 9.*

love, which love causeth hope, hope resolution of attempt, *I will goe to my Father, and say, I have sinned against heaven and against thee*; that is to say, I will doe what the duty of a Convert requireth.

Now in a Penitent's or Convert's duty, there are included; first, the aversion of the will from sinne; secondly, the submission of our selves to God, by supplication and prayer; thirdly, the purpose of a new life, testified with present works of amendment: Which three things doe very well seeme to be comprised in one definition, by them which handle repentance, as a vertue that hateth, bewaileth, and sheweth a purpose to amend sin: We offend God in thought, word, and deed. To the first of which three, they make contrition; to the second, confession; and to the last, our works of satisfaction, answerable.

Contrition doth not here import these sudden pangs and convulsions of the minde, which cause sometimes the most forsaken of God, to retract their own doings; it is no naturall passion or anguish, which riseth in us against our wills, but a deliberate aversion of the will of man from sinne, which being alwayes accompanied with griefe, and grief oftentimes partly with tears, partly with other externall signes; it hath beene thought, that in these things, contrition doth chiefly consist: whereas the chiefest thing in contrition, is that alteration whereby the will which was before delighted with sin, doth now abhor and shun nothing more. But for as much as we cannot hate sin in our selves without heavinesse and grief, that there should be in us a thing of such hatefull quality, the will averted from sin must needs

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make the affection ſutable; yea, great reaſon why it ſhould ſo doe: For ſince the will by conceiving ſin hath deprived the ſoule of life; and of life there is no recovery without repentance the death of ſin; repentance not able to kill ſinne, but by withdrawing the will from it, the will unpoſſible to be withdrawn, unleſſe it concurre with a contrary affection to that which accompanied it before in evill: Is it not cleare, that as an inordinate delight did firſt begin ſinne, ſo repentance muſt begin with a juſt ſorrow, a ſorrow of heart, and ſuch a ſorrow as renteth the heart; neither a feigned, nor ſlight ſorrow; not feigned, leſt it encreaſe ſin; nor ſlight, leſt the pleaſures of ſinne over-match it.

Wherefore of Grace, the higheſt cauſe from which mans penitency doth proceed, of faith, feare, love, hope, what force and efficiency they have in repentance: of parts and duties thereunto belonging, comprehended in the School-mens definitions; finally, of the firſt among thoſe duties, Contrition which diſliketh and bewaileth iniquity, let this ſuffice.

And becauſe God will have offences by repentance, not only abhorred within our ſelves, but alſo with humble ſupplication diſplayed before him, and a teſtimony of amendment to be given, even by preſent works, worthy repentance, in that they are contrary to thoſe we renounce and diſclaime: Although the vertue of Repentance doe require, that her other two parts, Confeſſion and Satisfaction ſhould here follow; yet ſeeing they belong as well to the Diſcipline as to the vertue of repentance, and only differ

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for that in the one they are performed to man; in the other to God alone; I had rather distinguish them in joynt handling, then handle them apart, because in quality and manner of practise, they are distinct.

Of the Discipline of Repentance instituted by Christ, practised by the Fathers, converted by the School-men into a Sacrament; and of Confession, that which belongeth to the vertue of Repentance, that which was used among the Iewes, that which the Papacy imagineth a Sacrament, and that which Ancient Discipline practized.

Matt.16.19. 1. OUr Lord and Saviour in the 16th of S. *Matthews* Gospel, giveth his Apostles regiment in generall over God's Church. For they that have the Keyes of the Kingdome of Heaven, are thereby signified to be Stewards of the House of God under whom they guide, command, judge, and correct his Familie. The fouls of men are God's treasure, committed to the trust and fidelity of such, as must render a strict account for the very least which is under their custody. God hath not invested them with power to make a revenue thereof; but to use it for the good of them whom Jesus Christ hath most dearly bought.

And because their Office therein consisteth of sundry functions, some belonging to Doctrine, some to Discipline, all contained in the name of the Keyes

Keyes, they have for matters of Diſcipline, as well litigious as criminall, their Courts and Conſiſtories erected by the heavenly Authority of his moſt ſacred voyce, who hath ſaid, *Dic Eccleſiæ*, Tell the Church, againſt rebellious and contumacious perſons, which refuſe to obey their ſentence; armed they are with power to eject ſuch out of the Church, to deprive them of the honours, rights, and priviledges of Chriſtian men, to make them as Heathens and Publicans, with whom ſociety was hateſull. *Mat.* 18 17.

Furthermore, leſt their acts ſhould be ſlenderly accounted of, or had in contempt, whether they admit to the Fellowſhip of Saints, or ſeclude from it, whether they binde Offenders, or ſet them againe at liberty, whether they remit, or retain ſins, whatſoever is done by way of orderly and lawfull proceeding, the Lord himſelfe hath promiſed to ratifie. This *Mat.* 18. 18. is that grand Originall Warrant, by force whereof *Io.* 20. 23. the Guids and Prelates in God's Church, firſt his *1 Cor.* 5. 3. Apoſtles, and afterwards others following them ſucceſſively, did both uſe and uphold that Diſcipline, *2 Cor.* 2. 6. *1 Tim.* 1. 20. the end whereof is to heal mens conſciences, to cure their ſinnes, to reclaime Offenders from inquity, and to make them by repentance juſt.

Neither hath it of Ancient time, for any other reſpect been accuſtomed to bind by Eccleſiaſticall Cenſures, to retaine ſo bound, till tokens of manifeſt repentance appeared, and upon apparent repentance to releaſe, ſaving only becauſe this was received as a moſt expedient method for the cure of ſinne.

The courſe of Diſcipline in former Ages re-

formed open Transgressors, by putting them unto Offices of open penitence; especially Confession, whereby they declared their own crimes in the hearing of the whole Church, and were not from the time of their first convention capable of the holy Mysteries of Christ, till they had solemnly discharged this duty.

Offenders in secret knowing themselves altogther as unworthy to be admitted to the Lord's Table, as the other which were with-held, being also perswaded that if the Church did direct them in the offices of their penitency, and assist them with publike prayer, they should more easily obtaine that they sought, then by trusting wholy to their own endeavours; finally, having no impediment to stay them from it but bashfulnesse, which contervailed not the former inducements; and besides, was greatly eased by the good construction, which the charity of those times gave to such actions, wherein mens piety and voluntary care to be reconciled to God, did purchase then much more love, then their faults (the testimonies of common frailty) were able to procure disgrace, they made it not nice to use some one of the Ministers of God, by whom the rest might take notice of their faults, prescribe them convenient remedies, and in the end after publike Confession, all joyn in prayer unto God for them.

The first beginner of this custome, had the more Followers by meanes of that speciall favour which alwayes was with good consideration shewed towards voluntary penitents above the rest.

But as Professors of Christian beliefe grew more

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in number, ſo they waxed worſe, when Kings and Princes had ſubmitted their Dominions unto the Scepter of Jeſus Chriſt, by meanes whereof Perſecution ceaſing, the Church immediately became ſubject to, thoſe evils which peace and ſecurity bringeth forth; there was not now that love which before kept all things in tune, but everywhere Schiſmes, Diſcords, Diſſentions amongſt men, Conventicles of Hereticks, bent more vehemently againſt the ſounder and better ſort then very Infidels and Heathens themſelves; faults not corrected in charity, but noted with delight, and kept for malice, to uſe when the deadlieſt opportunities ſhould bee offered.

Whereupon, for as much as publike Confeſſions became dangerous and prejudiciall to the ſafety of well minded men, and in divers reſpects advantagious to the enemies of God's Church; it ſeemed firſt unto ſome, and afterwards generally requiſite, that Voluntary Penitents ſhould ſurceaſe from open Confeſſion.

In ſtead whereof, when once private and ſecret Confeſſion had taken place with the *Latins*, It continued as a profitable Ordinance, till the *Lateran* Councell had Decreed, that all men once in a yeare at the leaſt, ſhould confeſſe themſelves to the Prieſt.

So that being a thing thus made both generall and alſo neceſſary, the next degree of eſtimation whereunto it grew, was to be honoured and lifted up to the nature of a Sacrament, that as Chriſt did inſtitute baptiſm to give life, and the Euchariſt to nouriſh life, ſo Penitence might be thought a Sa-

crament, ordained to recover life, and Confeſſion a part of the Sacrament.

They define therefore their private Penitency, to be a Sacrament of remitting ſinnes after Baptiſme: The vertue of Repentance, a deteſtation of wickedneſſe, with full purpoſe to amend the ſame, and with hope to obtaine pardon at God's hands.

Scotus 4. ſent. d. 14. q. 1. art. 1.

Id. ead. diſt. q. 2. art. 1.

Wherefore the Prophets cry *Repent*, and in the Goſpel S. *Peter* maketh the ſame Exhortation to the Jewes, as yet unbaptized, they will have the vertue of Repentance only to be underſtood. The Sacrament, where he adviſeth *Simon Magus* to repent, becauſe the ſinne of *Simon Magus*, was after Baptiſme.

Now although they have only externall Repentance for a Sacrament internall for a Vertue; yet make they Sacramentall Repentance nevertheleſſe to be compoſed of three parts, Contrition, Confeſſion, and Satiſaction; which is abſurd; becauſe Contrition being an inward thing, belongeth to the Vertue, and not to the Sacrament of Repentance, which muſt conſiſt of externall parts, if the nature thereof be externall. Beſides, which is more abſurd, they leave out Abſolution, whereas ſome of their School Divines, handling Penance in the nature of a Sacrament, and being not able to eſpie the leaſt reſemblance of a Sacrament, ſave only in Abſolution (for a Sacrament by their doctrine muſt both ſignifie and alſo conferre, or beſtow ſome ſpeciall Divine Grace) reſolved themſelves, that the duties of the Penitent could be but meer preparations to the Sacrament, and that the Sacrament it ſelfe was wholly

Scot. ſent. l. 4. d. 1. q. 4.

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in Abſolution. And albeit *Thomas* with his Followers have thought it ſafer, to maintaine as well the ſervices of the Penitent, as the words of the Miniſter, neceſſary unto the eſſence of their Sacrament; the ſervices of the Penitent, as a cauſe materiall; the words of Abſolution, as a formall; for that by them all things elſe are perfected to the taking away of ſin: which opinion, now raigneth in all their Schools, ſince the time that the Councell of *Trent* gave it ſolemn approbation, ſeeing they all make Abſolution, if not the whole eſſence, yet the very form whereunto they aſcribe chiefly the whole force and operation of their Sacrament; ſurely, to admit the matter as a part, and not to admit the form, hath ſmall congruity with reaſon.

Seſſ. 14. c. 3. Docet Sancta Synodus Sacramenti panitentiæ formam in qua præcipua ipſius vis ſita eſt, in illis Miniſtri verbis poſitam eſſe, Ego te abſolvo. Sunt autem quaſi materia huius Sacramenti ipſius pœnitentis actus, nempe Contritio, Confeſſio, & Satisfactio.

Againe, for as much as a Sacrament is compleat, having the matter and forme which it ought, what ſhould lead them to ſet down any other parts of Sacramentall repentance, then Confeſſion and Abſolution, as *Durandus* hath done?

For touching Satisfaction, the end thereof, as they underſtand it, is a further matter, which reſteth after the Sacrament adminiſtred, and therefore can be no part of the Sacrament.

Will they draw in Contrition with Satisfaction, which are no parts, and exclude Abſolution (a principall part,) yea, the very complement, form and perfection of the reſt as themſelves accoun it? But for their breach of precepts in art, it skilleth not, if their Doctrine otherwiſe concer ing Penitency, and in Penitenty touching Confeſſion might be found true.

We say, Let no man look for pardon, which doth smother and conceal sinne, where in duty it should be revealed.

The cause why God requireth Confession to be made to him, is that thereby testifying a deep hatred of own iniquity, the only cause of his hatred and wrath towards us, we might because we are humble, be so much the more capable of that compassion and tender mercy, which knoweth not how to condemn sinners that condemn themselves.

Luk. 7. 47. If it be our Saviours own principle, that the conceit we have of our debt forgiven, proportioneth our thankfulnesse and love to him, at whose hands we receive pardon; doth not God fore-see, that they which with ill advised modesty seek to hide their sin like *Adam*, that they which rake it up under ashes, and confesse it not, are very unlikely to requite with offices of love afterwards, the grace which they shew themselves unwilling to prize at the very time when they sue for it, in as much as their not confessing what crimes they have committed, is a plaine signification how loth they are that the benefit of God's most gracious pardon should seeme great. Nothing more true, then that of *Tertullian*, *Confession doth as much abate the weight of mens offences, as concealment doth make them heavier.* For he which confesseth, hath a purpose to appease God; hee, a determination to persist and continue obstinate, which keeps them secret to himselfe. S. *Chrysostome* almost in the same words, *Wickednesse is by being acknowledged, lessened, and doth but grow by being hid.* If men having done amisse, let it slip, as though they

Tantum relevat Confessio delictorum quantum dissimulatio exaggerat. Confessio autem satisfactionis consilium est, dissimulatio contumaciæ, Tert. de pæn.

Chry. hom. 30. in Epist. ad Heb.

they knew no such matter, what is there to stay them from falling into one and the same evill? To call our selves sinners availeth nothing, except we lay our faults in the ballance, and take the weight of them one by one. Confesse thy crimes to God, disclose thy transgressions before thy Judge, by way of humble supplication and suit, if not with tongue, at the least with heart, and in this sort seek mercy. A generall perswasion that thou art a sinner, will neither so humble, nor briddle thy soule, as if the Catalogue of thy sinnes examined severally, be continually kept in minde. This shall make thee lowly in thine owne eyes, this shall preserve thy feet from falling, and sharpen thy desires towards all good things. The minde I know doth hardly admit such unpleasant remembrances, but we must force it, we must constraine it thereunto. It is safer now to be bitten with the memory, then hereafter with the torment of sinne.

The Jewes with whom no repentance for sinne is available without Confession, either conceived in mind or uttered; which latter kinde they call usually ודרי Confession delivered by word of mouth, had first that generall Confession which once every year was made, both severally by each of the people for himselfe, upon the day of expiation, and by the Priest for them all. On the day of expiation, the high Priest maketh three expresse Confessions, aknowledging unto God the manifold transgressions of the whole Nation, his own personall offences likewise, together with the sinnes, as well of his Family, as of the rest of his ranke and order.

Levit. 16. 21.

All *Israel* is bound on the day of expiation to repent and confesse, *R. Mos. in lib. Mitsworth haggadol. par. 2. pra. 16.*

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They had againe their voluntary Confessions, at the times and seasons, when men bethinking themselves of their wicked conversation past, were resolved to change their course, the beginning of which alteration was still Confession of sinnes.

Thirdly, over and besides these, the Law imposed upon them also that speciall Confession, which they in their book call ודרי על עוך כויהחד.

Confession of that particular fault, for which we namely seek pardon at God's hands. The words of the Law concerning Confession in this kinde, are as followeth: When a man or woman shall commit any sin, that men commit, and transgresse against the Lord, their sinne which they have done (that is to say, the very deed it selfe in particular) they shall acknowledge. In *Leviticus* after certaine transgressions there mentioned, we reade the like: When a man hath sinned in any one of these things, he shall then confesse, how in that thing he hath offended. For such kinde of speciall sinnes, they had also speciall Sacrifices, wherein the manner was that the Offender should lay his hands on the head of the Sacrifice which he brought, and should there make Confession to God, saying, *Now O Lord, that I have offended, committed sinne, and done wickedly in thy sight, this or this being my fault, behold, I repent me, and am utterly ashamed of my doings; my purpose is never to return more to the same crime.*

Num. 5. 6.

Lev. 5. 5.

Misne Tora Tractatus Teshuba, cap. 1. & R. Mi. in lib. Misnoth, par. 2. cap. 16.

None of them, whom either the house of judgement hath condemned to die, or of them which are to be punished with stripes, can be cleare by being executed or scourged, till they repent & confesse their faults.

Mos. in Misnoth. par. 2. pra. 16.

Finally,

Finally, there was no man amongſt them at any time, either condemned to ſuffer death, or corrected, or chaſtized with ſtripes, none ever ſick and near his end, but they called upon him to repent and confeſſe his ſinnes.

To him which is ſick, and draweth towards death, they ſay confeſſe. *Idem.*

Of Malefactors convict by witneſſes, and thereupon either adjudged to die, or otherwiſe chaſtized, their cuſtome was to exact, as *Ioſhua* did of *Achan*, open confeſſion, *My ſon, now give glory to the Lord God of Iſrael, confeſſe unto him, and declare unto me what thou haſt committed, conceale it not from me*, Joſ. 7.19.

Concerning injuries and treſpaſſes which happen between men, they highly commend ſuch as will acknowledge before many.

It is in him which repenteth, accepted as an high Sacrifice, if he will confeſſe before many, make them acquainted with his over-ſights, and reveale the tranſgreſſions which have paſſed between him and any of his brethren; ſaying, I have verily offended this man, thus and thus I have done unto him, but behold I doe now repent and am ſorry. Contrariwiſe, whoſoever is proud and will not be known of his faults, but cloaketh them, is not yet come to perfect repentance; for ſo it is written, *He that hides his ſins ſhall not proſper*, which words of *Salomon* they doe not further extend, then only to ſinnes committed againſt men, which are in that reſpect meet before men to be acknowledged particularly. But in ſinnes between man and God, there is no neceſſity that man ſhould himſelfe make any ſuch open and particular recitall of them; to God they are known, and of us it is required, that we caſt not the memory of them

careleſly and looſly behinde our backs, but keep in minde as near as we can, both our own debt, and his grace which remitteth the ſame.

Wherefore to let paſſe Jewiſh confeſſion, and to come unto them which hold Confeſſion in the eare of the Prieſt commanded; yea, commanded in the nature of a Sacrament, and thereby ſo neceſſary, that ſinne without it cannot be pardoned, let them finde ſuch a Commandment in holy Scripture, and we ask no more. *Iohn* the *Baptiſt* was an extraordinary perſon, his birth, his actions of life, his Office extraordinary. It is therefore recorded for the ſtrangneſſe of the act, but not ſet down as an everlaſting Law for the World; *That to him Ieruſalem and all Iudea made confeſsion of their ſinnes*: Beſides, at the time of this confeſſion, their pretended ſacrament of repentance, as they grant, was not yet inſtituted, neither was it ſinne after Baptiſm, which Penitents did there confeſſe; When that which befell the ſeven ſonnes of *Sceva*, for uſing the name of our Lord Jeſus Chriſt in their conjurations, was notified to Jews and Grecians in *Epheſus*, it brought an univerſall feare upon them, in ſo much that divers of them which had believed before, but not obeyed the Laws of Chriſt, as they ſhould have done, being terrified by this example, came to the Apoſtle, and confeſſed their wicked deeds. Which good and vertuous act, no wiſe man, as I ſuppoſe will diſallow, but commend highly in them, whom God's good Spirit ſhall move to doe the like when need requireth.

Mat. 3. 6.

Act. 19. 18.

Yet neither hath this example the force of any generall commandement, or law to make it neceſſary for

for every man, to poure into the eares of the Prieſt whatſoever hath been done amiſſe, or elſe to remaine everlaſtingly culpable and guilty of ſin; in a word, it proveth confeſſion practized as a vertuous act, but not commanded as a Sacrament.

Now concerning S. *Iames* his Exhortation, whether the former branch be conſidered, which ſaith, *Is any ſick among you? let him call for the Ancients of the Church, and let them make their prayers for him*; or the latter, which ſtirreth up all Chriſtian men unto mutuall acknowledgement of faults amongſt themſelves; *Lay open your minds, make your confeſſions one to another*; is it not plain, that the one hath relation to that gift of healing, which our Saviour promiſed his Church, ſaying, *They ſhall lay their hands on the ſick, and the ſick ſhall recover health?* relation to that gift of healing, whereby the Apoſtle impoſed his hands on the Father of *Publius*, and made him miraculouſly a ſound man; relation finally to that gift of healing, which ſo long continued in practize after the Apoſtles times, that whereas the *Novatianiſts* denyed the power of the Church of God, in curing ſinne after Baptiſm, S. *Ambroſe* asked them againe, *Why it might not as well prevail with God for ſpirituall, as for corporall and bodily health*; *yea, wherefore* (ſaith he) *do ye your ſelves lay hands on the diſeaſed and believe it to be a work of benediction or prayer, if haply the ſick preſon be reſtored to his former ſafety?* And of the other member which toucheth mutuall confeſſion, doe not ſome of themſelves, as namely, *Cajetan* deny, that any other Confeſſion is meant, then only that, *which ſeeketh either aſſociation of prayers, or reconciliation, or*

Iam. 5. 16.

Mar. 16. 18.

Act. 28. 8.

Amb. de par. l. 1. *c.* 7.

pardon of wrongs? Is it not confeſſed by the greateſt part of their own retinue, that we cannot certainly affirm ſacramentall confeſſion to have been meant or ſpoken of in this place? Howbeit *Bellarmaine* delighted to runne a courſe by himſelfe where colourable ſhifts of wit will but make the way paſſible, ſtandeth as formally for this place, and not leſſe for that in S. *Iohn*, then for this. S. *Iohn* ſaith, *If we confeſſe our ſinnes, God is faithfull and juſt to forgive our ſinnes, and to cleanſe us from all unrighteouſneſſe*; doth S. *Iohn* ſay, If we confeſſe to the Prieſt, God is righteous to forgive, and if not, That our ſins are unpardonable? No, but the titles of God *juſt* and *righteous* doe import, that he pardoneth ſin only for his promiſe ſake; *And there is not* (they ſay) *any promiſe of forgiveneſſe upon confeſſion made to God without the Prieſt*; Not any promiſe, but with this condition, and yet this condition nowhere expreſt.

Annot Rhem. in loc.

1 Ioh. 1. 9.

Is it not ſtrange that the Scripture ſpeaking ſo much of repentance, and of the ſeverall duties which appertaine thereunto, ſhould ever meane, and no where mention that one condition, without which all the reſt is utterly of none effect; or will they ſay, becauſe our Saviour hath ſaid to his Miniſters, *whoſe ſins ye retain &c.* and becauſe they can remit no more, then what the offenders have confeſt, that therefore by vertue of his promiſe, it ſtandeth with the righteouſneſſe of God, to take away no mans ſinnes, untill by auricular confeſſion they be opened unto the Prieſt?

They are men that would ſeeme to honour Antiquity, and none more to depend upon the reverend judgement

judgement thereof. I dare boldly affirm, that for many hundred years after Chriſt, the Fathers held no ſuch opinion; they did not gather by our Saviours words, any ſuch neceſſity of ſeeking the Prieſts Abſolution from ſinne, by ſecret and (as they now term it) ſacramentall confeſſion: Publike confeſſion they thought neceſſary by way of Diſcipline, not private confeſſion, as in the nature of a Sacrament, neceſſary.

For to begin with the pureſt times, it is unto them which read and judge without partiality a thing moſt clear, that the ancient ἐξομολόγησις or confeſſion, defined by *Tertullian* to be a Diſcipline of humiliation, and ſubmiſſion, framing mens behaviour in ſuch ſort as may be fitteſt to move pitty, the confeſſion which they uſe to ſpeak of in the exerciſe of repentance, was made openly in the hearing of the whole both Eccleſiaſticall Conſiſtory and Aſſembly.

This is the reaſon wherefore he perceiving, that divers were better content their ſoares ſhould ſecretly feſter, and eat inward, then be laid ſo open to the eyes of many, blameth greatly their unwiſe baſhfulneſſe, and to reform the ſame, perſwadeth with them ſaying, *Amongſt thy brethren and fellow ſervants, which are partakers with thee of one and the ſame nature, feare, joy, griefe, ſuffrings (for of one common Lord and Father, we have all received one ſpirit) why ſhouldeſt thou not think with thy ſelfe, that they are but thine own ſelfe? wherefore doſt thou avoyd them, as likely to inſult over thee, whom thou knoweſt ſubject to the ſame haps? At that which grieveth any one part, the whole body cannot rejoyce, it muſt needs be that the whole will labor and*

Pleroſq; hoc opus ut publicationem ſui aut ſuffugere, aut de die in diem differre, præſumo puderis magis memores quam ſalutis, velut illi qui in partibus verecundioribus corporis contracta vexatione conſcientiæ medentium vitant, & ita cum erubeſcentia ſua perirunt. Terr. de pœn.

and ſtrive to help that wherewith a part of it ſelfe is moleſted.

St *Cyprian* being grieved with the dealings of them, who in time of perſecution had through feare betrayed their faith, and notwithſtanding thought by ſhift to avoid in that caſe the neceſſary Diſcipline of the Church, wrote for their better inſtruction, the book intituled *De lapſis*; a Treatiſe concerning ſuch, as had openly forſaken their Religion, and yet were loth openly to confeſſe their fault, in ſuch manner as they ſhould have done: In which book he compareth with this ſort of men, certain others which had but a purpoſe only to have departed from the Faith; and yet could not quiet their minds, till this very ſecret and hidden fault was confeſt, *How much both greater in faith* (ſaith St *Cyprian*) *and alſo as touching their, feare, better, are thoſe men who although neither ſacrifice, nor libell could be objected againſt them, yet becauſe they thought to have done that which they ſhould not, even this their intent they dolefully open unto God's Prieſts? they confeſſe that whereof their conſcience accuſeth them, the burthen that preſſeth their minds they diſcover, they foreſlow not of ſmaller and ſlighter evils, to ſeek remedy:* He ſaith they declared their fault, not to one onely man in private, but revealed it to God's Prieſts, they confeſt it before the whole Conſiſtory of Gods Miniſters.

Qui neceſſitatem ſacrificandi pecunia apud Magiſtratum redimebant acepta ſecuritatis Syngrapha libellatici dicebantur.

Salvianus (for I willingly embrace their conjecture, who aſcribe thoſe Homiles to him, which have hitherto by common error paſt under the counterfeit name of *Euſebius Emeſenus*,) I ſay, *Salvianus*, though comming long after *Cyprian* in time, giveth

giveth nevertheleſſe the ſame evidence for this truth, in a caſe very little different from that before alleadged; his words are theſe, *whereas (moſt dearely beloved) we ſee that pennance oftentimes is ſought and ſued for by holy ſoules, which even from their youth have bequeathed themſelves a precious treaſure unto God, let us know that the inſpiration of God's good Spirit moveth them ſo to doe for the benefit of his Church, and let ſuch as are wounded, learn to enquire for that remedy, whereunto the very ſoundeſt doe thus offer and obtrude as it were themſelves, that if the vertuous doe bewaile ſmall offences, the others ceaſe not to lament great.* And ſurely, when a man that hath leſſe need, performeth *ſub oculis Eccleſiæ*, in the view, ſight, and beholding of the whole Church, an office worthy of his faith and compunction for ſinne, the good which others thereby reap is his own harveſt, the heap of his rewards groweth by that which another gaineth, and through a kinde of ſpirituall uſury from that amendment of life which others learn by him, there returneth lucre into his coffers. The ſame *Salvianus* in another of his Homilies, *If faults haply be not great and grievous (for example, if a man have offended in word, or in deſire, worthy of reproof, if in the wantonnes of his eye, or the vanity of his heart) the ſtaines of words and thoughts are by daily prayer to be cleanſed, and by private compunction to be ſcoured out: But if any man examining inwardly his own conſcience, have committed ſome high and capitall offence, as if by bearing falſe witneſſe, he have quelled and betrayed his faith, and by raſhneſſe of perjury have violated the ſacred name of truth, if with the mire of luſtfull uncleanneſſe he have ſullied the vaile of Baptiſm,*

Hom. 1. de initio quadrageſimæ.

Hom. 10. Ad Monachos.

and

and the gorgeous robe of Virginity, if by being the cause of any mans death, he have been the death of the new man within himself, if by conference with South-sayers, Wisards and Charmers, he hath enthralled himself to Satan, These and such like committed crimes, cannot throughly be taken away with ordinary, moderate, and secret satisfaction, but greater causes doe require greater and sharper remedies, they need such remedies as are not only sharp, but solemn, open and publike. Again, *Let that soule* (saith he) *answer me, which through pernicious shamefastnesse is now so abasht to acknowledge his sin in* conspectu fratrum, *before his brethren, as he should have been before abasht to commit the same, what he will doe in the presence of that Divine Tribunall where he is to stand arraigned in the Assembly of a glorious and celestiall host?* I will hereunto adde but St *Ambrose*'s testimony: For the places which I might alledge, are more then the cause it selfe, needeth; *There are many* (saith he) *who fearing the judgement that is to come, and feeling inward remorse of conscience, when they have offered themselves unto penitency, are enjoyned what they shall do, give back for the only skarre which they think that publike supplication will put them unto.* He speaketh of them which sought voluntarily to be penanced, and yet withdrew themselves from open confession, which they that were penitents for publike crimes could not possibly have done, and therefore it cannot be said he meaneth any other then secret sinners in that place. *Gennadius* a Presbyter of *Marsiles* in his book touching Ecclesiasticall assertions, maketh but two kinds of confession necessary, the one in private to God alone for smaller offences, the other open

Graviores & acriores, & publicas curas requirunt.

Hom. 8. ad Monach.

Lib. 2. de pæn. cap. 9.

open, when crimes committed are hainous and great, *Although* (ſaith he) *a man be bitten with conſcience of ſinne, let his will be from thence forward to ſinne no more; let him before he communicate, ſatisfie with teares and prayers, and then putting his truſt in the mercy of Almighty God* (*whoſe wont, is, to yeeld to godly confeſſions*) *let him boldly receive the Sacrament. But I ſpeak this of ſuch as have not burthened themſelves with capitall ſinnes: Then I exhort to ſatisfie, firſt by publike penance, that ſo being reconciled by the ſentence of the Prieſt, they may communicate ſafely with others.* Thus ſtill we heare of publike confeſſions, although the crimes themſelves diſcovered were not publike; we heare that the cauſe of ſuch confeſſions was not the openneſſe, but the greatneſſe of mens offences; finally, we heare that the ſame being now held by the Church of *Rome* to be Sacramentall, were the only penitentiall confeſſions uſed in the Church for a long time, and eſteemed as neceſſary remedies againſt ſinne.

They which will finde Auricular confeſſions in St *Cyprian*, therefore muſt ſeek out ſome other paſſage, then that which *Bellarmine* alleadgeth, *Whereas in ſmaller faults which are not committed againſt the Lord himſelfe, there is a competent time aſſigned unto penitency, and that confeſſion is made, after that obſervation and tryall had been had of the Penitent's behaviour, neither may any communicate till the Biſhop and Clergy have laid their hands upon him; how much more ought all things to be warily and ſtayedly obſerved according to the Diſcipline of the Lord, in theſe moſt grievous and extream crimes?* S. *Cyprians* ſpeech is

Cypr. Epiſt. 11.

Inſpectâ vitâ ejus qui egit pœnitentiam.

againſt raſhneſſe in admitting Idolators to the holy Communion, before they had ſhewed ſufficient repentance, conſidering that other offenders were forced to ſtay out their time, and that they made not their publike confeſſion, which was the laſt act of penitency, till their life and converſation had been ſeen into, not with the eye of auricular ſcrutiny, but of paſtorall obſervation, according to that in the Councell of *Nice*, where thirteen years, being ſet for the penitency of certaine offenders, the ſeverity of this Decree is mitigated with ſpeciall caution: *That in all ſuch caſes, the minde of the penitent and the manner of his repentance is to be noted, that as many as with feare and teares, and meekneſſe, and the exerciſe of good works, declared themſelves to be Converts indeed, and not in outward appearance only, towards them the Biſhop at his diſcretion might uſe more lenity.* If the Councell of *Nice* ſuffice not, let *Gratian* the founder of the Canon Law expound *Cyprian*, who ſheweth that the ſtint of time in penitency, is either to be abridged or enlarged, as the Penitent's faith and behaviour ſhall give occaſion; *I have eaſilier found out men* (ſaith S. *Ambroſe*) *able to keep themſelves free from crimes, then conformable to the rules which in penitency they ſhould obſerve.* S. *Gregory* Biſhop of *Nice* complaineth and enveigheth bitterly againſt them, who in the time of their penitency, lived even as they had done alwayes before; *Their countenance as chearfull, their attire as neat, their diet as coſtly, and their ſleep as ſecure as ever, their worldly buſineſſe purpoſely followed, to exile penſive thoughts from their minds, repentance pretended, but indeed nothing leſſe expreſt;*

Con. Nic. can. 2. c. 12.

Pro ſide & converſatione Pœnitentium.

De pœn. diſt. 1. cap. Menſuram. Ambroſ. de pœn. lib. 2. c. 10.

Greg. Niſſ. orat. In eos qui alios acerbè judicant.

expreſt: Theſe were the inſpections of life whereunto S. *Cyprian* alludeth; as for Auricular Examinations he knew them not.

Were the Fathers then without uſe of private confeſſion as long as publike was in uſe? I affirm no ſuch thing. The firſt and ancienteſt that mentioneth this Confeſſion, is *Origen*, by whom it may ſeem that men being loth to preſent raſhly themſelves & their faults unto the view of the whole Church, thought it beſt to unfold firſt their minds to ſome one ſpeciall man of the Clergy, which might either help them himſelfe, or referre them to an higher Court if need were; *Be therefore circumſpect* (ſaith *Origen*) *in making choice of the party, to whom thou meaneſt to confeſſe thy ſinne; know thy Phyſitian before thou uſe him; If he finde thy malady ſuch as needeth to be made publike, that other may be the better by it, and thy ſelfe ſooner helpt, his counſell muſt be obeyed.* That which moved ſinners thus voluntarily to detect themſelves both in private and in publike, was feare to receive with other Chriſtian men the myſteries of heavenly grace, till God's appointed Stewards and Miniſters did judge them worthy: It is in this reſpect that S. *Ambroſe* findeth fault with certaine men which ſought impoſition of penance, and were not willing to wait their time, but would be preſently admitted Communicants. *Such people* (ſaith he) *doe ſeek by ſo raſh and prepoſterous deſires, rather to bring the Prieſt into bonds then to looſe themſelves*: In this reſpect it is that S. *Auguſtine* hath likewiſe ſaid, *When the wound of ſinne is ſo wide, and the diſeaſe ſo farre gone that the medicinable body and bloud of our Lord may not be touched, men are by the*

Orig. in Pſa. 37.

Amb. l. 2. de pœn. c. 9.

Si non tam ſolvere cupiant quam Sacerdotem ligare.

Aug. in hom. de pan.

Biſhops authority to ſequeſter themſelves from the Altar, till ſuch time as they have repented, and be after reconciled by the ſame authority. Furthermore, becauſe the knowledge how to handle our own ſoares, is no vulgar and common art, but we either carry towards our ſelves for the moſt part an over-ſoft and gentle hand, fearefull of touching too near the quick, or elſe endeavouring not to be partiall, we fall into timorous ſcrupuloſities, and ſometime into thoſe extream diſcomforts of minde, from which we hardly doe ever lift up our heads againe, men thought it the ſafeſt way to diſcloſe their ſecret faults, and to crave impoſition of penance from them whom our Lord Jeſus Chriſt hath left in his Church to be ſpirituall and ghoſtly Phyſitians, the guides and Paſtors of redeemed ſouls, whoſe office doth not only conſiſt in generall perſwaſions unto amendment of life, but alſo in the private particular cure of diſeaſed minds.

Hom. de pan. Siniz.

Howſoever the *Novatianiſts* preſume to plead againſt the Church (ſaith *Salvianus*) *that every man ought to be his own penitentiary, and that it is a part of our duty to exerciſe, but not of the Churche's Authority to impoſe or preſcribe repentance*; the truth is otherwiſe, the beſt and ſtrongeſt of us may need in ſuch caſes direction: *What doth the Church in giving penance, but ſhew the remedies which ſinne requireth? or what doe we in receiving the ſame but fulfill her precepts? what elſe but ſue unto God with teares, and faſts, that his mercifull eares may be opened?* S. *Auguſtine's* exhortation is directly to the ſame purpoſe; *Let every man whileſt he hath time judge himſelfe, and change his*

Aug. hom. de pan. citatur à Grat. diſt. 5. c. Indecet.

life

life of his own accord, and when this is reſolved, Let him from the diſpoſers of the holy Sacraments, learn in what manner he is to pacifie God's diſpleaſure: But the greateſt thing which made men forward and willing upon their knees to confeſſe whatſoever they had committed againſt God, and in no wiſe to be withheld from the ſame, with any feare of diſgrace contempt, or obloquie, which might enſue, was their fervent deſire to be helped and aſſiſted with the prayers of God's Saints. Wherein as S. *Iames* doth exhort unto mutuall confeſſion, alleadging this only for a reaſon, *that juſt men's devout prayers are of great avail with God*; ſo it hath been heretofore the uſe of Penitents for that intent to unburthen their minds, even to privats perſons, and to crave their prayers. Whereunto *Caſsianus* alluding, counſelleth, That *if men poſſeſt with dulneſſe of ſpirit be themſelves unapt to doe that which is required, they ſhould in meek affection ſeek health at the leaſt by good and vertuous mens prayers unto God for them.* And to the ſame effect *Gregory* Biſhop of *Niſſe*, *Humble thy ſelf, and take unto thee ſuch of thy brethren as are of one mind, and doe beare kind affection towards thee, that they may together mourn and labour for thy deliverance. Shew me thy bitter and abundant tears, that I may blend mine own with them.*

A præpoſitis Sacramentorum accipiat ſatisfactionis ſuæ modum.

Iam. 5. 16.

Caſſia. col. 20. c. 8.

Greg. Niſſ. Oratione in eos qui alios accuſant.

But becauſe of all men there is or ſhould be none in that reſpect more fit for troubled and diſtreſſed minds to repaire unto then God's Miniſters, he proceedeth further, *Make the Prieſt, as a Father partaker of thine affection and griefe, be bold to impart unto him the things that are moſt ſecret, he will have care both of thy ſafety, and of thy credit.*

Confession (saith *Leo*) *is first to be offred to God, and then to the Priest, as to one which maketh supplication for the sinnes of penitent offenders.* Suppose we, that men would ever have been easily drawn, much lesse of their own accord have come unto publike confession, whereby they know they should sound the trumpet of their own disgrace, would they willingly have done this, which naturally all men are loth to doe, but for the singular trust and confidence which they had in the publike prayers of God's Church? *Let thy mother the Church weep for thee* (saith *Ambrose*) *let her wash and bathe thy faults with her teares: Our Lord doth love that many should become suppliant for one;* In like sort long before him, *Tertullian, Some few assembled make a Church, and the Church is as Christ himself; When thou dost therefore put forth thy hands to the knees of thy brethren, thou toucheſt Christ; it is Christ unto whom thou art a supplicant; so when they poure out teares over them, it is even Christ that taketh compassion; Christ which prayeth when they pray: Neither can that easily be denyed, for which the Son is himselfe contented to become a suitor.*

Leo 1. Ep. 78. ad Epist. Campan. citat. à Grat. de pœn. d. 1. c. satisfit.

Ambr. l. 2. de pœn. c. 7.

Tertull. de pœn.

Whereas in these considerations therefore, voluntary Penitents had been long accustomed for great and grievous crimes, though secret, yet openly both to repent and confesse as the Canons of Ancient Discipline required, the Greek Church first, and in processe of time the Latin altred this order, judging it sufficient and more convenient that such offenders should doe penance and make confession in private only. The cause why the Latins, did *Leo* declareth, saying: *Although that ripenesse of faith be com-*

Leo 1. Ep. 78.

commendable, which for the feare of God doth not feare to incurre ſhame before all men, yet becauſe every one's crimes are not ſuch, that it can be free and ſafe for them to make publication of all things, wherein repentance is neceſſary, let a cuſtome ſo unfit to be kept, be abrogated, leaſt many forbeare to uſe remedies of penitency, whileſt they either bluſh or are afraid to acquaint their enemies with thoſe acts for which the Lawes may take hold upon them. Beſides, it ſhall win the more repentance, if the conſciences of ſinners be not emptied into the peoples eares; And to this only cauſe doth *Sozomen* impute the change, which the *Grecians* made, by ordaining throughout all Churches certaine *Penitentiaries* to take the Confeſſions, and appoint the penances of ſecret offenders. *Socrates* (for this alſo may be true that more inducements then one, did ſet forward an alteration ſo generally made) affirmeth the *Grecians* (and not unlikely) to have ſpecially reſpected therein the occaſion, which the *Novatianiſts* took at the multitude of publike Penitents, to inſult over the Diſcipline of the Church, againſt which they ſtill cryed out, whereſoever they had time and place, *He that ſheweth ſinners favour, doth but teach the innocent to ſinne:* And therefore they themſelves admitted no man to their communion upon any repentance, which once was known to have offended after baptiſm, making ſinners thereby not the fewer, but the cloſer, and the more obdurate, how faire ſoever their pretence might ſeem.

The *Grecians* Canon for ſome one Presbyter in every Church to undertake the charge of penitency, and to receive their voluntary confeſſions, which had ſinned

ſinned after Baptiſm, continued in force for the ſpace of above ſome hundred years, till *Nectarius*, and the Biſhops of Churches under him begun a ſecond alteration, aboliſhing even that confeſſion which their *Penitentiaries* took in private. There came to the *Penitentiary* of the Church of *Conſtantinople*, a certain Gentlewoman, and to him ſhe made particular confeſſion of her faults committed after Baptiſm, whom thereupon hee adviſed to continue in faſting and prayer, that as with tongue ſhe had acknowledged her ſinnes, ſo there might appear likewiſe in her ſome work worthy of repentance: But the Gentlewoman goeth forward, and detecteth her ſelfe of a crime, whereby they were forced to diſ-robe an Eccleſiaſticall perſon, that is to degrade a Deacon of the ſame Church. When the matter by this mean came to publike notice, the people were in a kinde of tumult offended, not only at that which was done, but much more, becauſe the Church ſhould thereby endure open infamy and ſcorn. The Clergy perplexed and altogether doubtfull what way to take till one *Eudemon* born in *Alexandria*, but at that time a Prieſt in the Church of *Conſtantinople*, conſidering that the cauſes of voluntary confeſſion whether publike or private, was eſpecially to ſeek the Churches aide, as hath been before declared, leſt men ſhould either not communicate with others, or wittingly hazard their ſoules, if ſo be they did communicate, and that the inconvenience which grew to the whole Church was otherwiſe exceeding great, but eſpecially grievous by meanes of ſo manifold offenſive detections, which muſt needs be continually more,

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as the world did it ſelfe wax continually worſe, for Antiquity together with the gravity and ſeverity thereof (ſaith *Sozomen*) had already begun by little and little to degenerate into looſe and careleſſe living, whereas before offences were leſſe, partly through baſhfulneſſe in them which open their own faults, and partly by meanes of their great auſterity, which thought as judges in this buſineſſe; theſe things *Eudæmon* having weighed with himſelfe reſolved eaſily the minde of *Nectarius*, that the *Penitentiaries* office muſt be taken away, and for participation in God's holy myſteries every man be left to his own conſcience, which was as he thought, the only mean to free the Church from danger of obloquie and diſgrace. *Thus much* (ſaith *Socrates*) *I am the bolder to relate, becauſe I received it from* Eudæmons *own mouth, to whom mine anſwer was at that time; whether your counſel Sir have been for the Churches good, or otherwiſe, God knoweth: But I ſee, you have given occaſion whereby we ſhall not now any more reprehend one another's faults, nor obſerve that Apoſtolike precept, which ſath, Have no Fellowſhip with the unfruitfull works of darkneſſe, but rather be yee alſo reprovers of them.* With *Socrates*, *Sozomon* both agreeth in the occaſion of aboliſhing *Penitentiaries*; and moreover teſtifyeth alſo, that in his time living with the younger *Theodoſius*, the ſame abolition did ſtill continue, and that the Biſhops had in a manner everywhere followed the example given them by *Nectarius*.

Wherefore to implead the truth of this Hiſtory, Cardinall *Baronius* alleadgeth that *Socra-*

tes, *Sozomen* and *Eudæmon* were all *Novatianists*, and that they falsify in saying, (for so they report) that as many as held the Consubstantiall being of Christ, gave their assent to the abrogation of the forehearsed Canon. The summe is, he would have it taken for a fable, and the world to be perswaded that *Nectarius* did never any such thing. Why then should *Socrates* first and afterwards *Sozomen* publish it? To please their pew fellows the disciples of *Novatian*. A poor gratification, and they very silly friends, that would take lyes for good turns. For the more acceptable the matter was, being deemed true, the lesse they must needs (when they found the contrary) either credit, or affect him which had deceived them. Notwithstanding we know that joy and gladnesse rising from false information, doe not only make men so forward to believe that which they first hear, but also apt to scholie upon it and to report as true whatsoever they wish were true. But so farre is *Socrates* from any such purpose, that the fact of *Nectarius* which others did both like and follow, he doth disallow and reprove. His speech to *Eudæmon* before set down, is proof sufficient that he writeth nothing, but what was famously known to all, and what himselfe did wish had been otherwise. As for *Sozomen*'s correspondency with Hereticks, having shewed

Tanta hæc Socrati testanti præstanda est fides quanta cæteris hæreticis de suis dogmatibus tractantibus; quippe Novatianus secta cum fuerit, quam vere ac syncere hæc scripserit adversus pœnitentiam in Ecclesia administrari solitam, quemlibet credo posse facile judicare, Bar. t. 1. ann. Chr. 56.

Sozomenum eandem prorsus causam fuisse certum est. Nec Eudemonem illum alium quam Novatianæ sectæ hominem fuisse credendum est. Ibid.

Sacerdos ille meritò à Nectario est gradu amotus officioq; depositus, quo facto Novatiani (ut mos est hæreticorum quamcunque licet levem ut syncteris dogmatibus detrahant accipere ausi occasionem, non tantum Presbyterum Pœnitentiarium in ordinem redactum, sed & pœnitentiam ipsam unam cum eo fuisse proscriptam calumniosè admodum conclamarunt, cum tamen illa potius Theatralis fieri interdum solita peccatorum fuerit abrogata. Ibid.

ſhewed to what end the Church did firſt ordaine *Penitentaries*, he addeth immediately that *Novatianiſts*, which had no care of repentance, could have no need of this office. Are theſe the words of a friend or enemy? Beſides, in the entrance of that whole narration: *Not to ſinne* (ſaith he) *at all would require a nature more divine then ours is; But God hath commanded to pardon ſinners; yea, although they tranſgreſſe and offend often.* Could there bee any thing ſpoken more directly oppoſite to the Doctrine of *Novatian*? *Eudæmon* was Presbyter under *Nectarius*.

To *Novatianiſts* the Emperour gave liberty of uſing their Religion quietly by themſelves, under a Biſhop of their own, even within the City, for that they ſtood with the Church in defence of the Catholick faith againſt all other Hereticks beſides. Had therefore *Eudæmon* favoured their hereſy, their Camps were not pitched ſo farre of, but he might at all times have found eaſie acceſſe unto them. Is there any man that lived with him and hath touched him that way? if not, why ſuſpect we him more then *Nectarius*? Their report touching Grecian Catholick Biſhops, who gave approbation to that which was done, and did alſo the like themſelves in their own Churches, we have no reaſon to diſcredit without ſome manifeſt and cleare evidence brought againſt it. For of Catholick Biſhops, no likelihood but that their greateſt reſpect to *Nectarius*, a man honoured in thoſe parts no leſſe then the Biſhop of *Rome* himſelfe in the Weſtern Churches, brought them both eaſily and ſpeedily unto conformity with him: *Arrians*, *Eunomians*, *Apollinarians*, and the reſt that

ſtood divided from the Church, held their *Penitentiaries* as before. *Novatianiſts* from the beginning had never any, becauſe their opinion touching penitency was againſt the practize of the Church therein, and a cauſe why they ſevered themſelves from the Church; ſo that the very ſtate of things as they then ſtood, giveth great ſhew of probability to his ſpeech, who hath affirmed, that *they only which held the ſonne conſubſtantiall with the Father, and Novatianiſts which joyned with them in the ſame opinion, had no Penitentiaries in their Churches, the reſt retained them.* By this it appeareth therefore how *Baronius* finding the relation plain, that *Nectarius* did aboliſh even thoſe private ſecret confeſſions which the people had been before accuſtomed to make to him, that was *Penitentiary*, laboureth what he may to diſcredit the Authors of the report, and to leave it imprinted in mens minds, that whereas *Nectarius* did but abrogate publike confeſſion, *Novatianiſts* have malicioufly forged the abolition of private, as if the odds between theſe two were ſo great in the ballance of their judgement, which equally hated and contemned both; or, as if it were not more clear then light that the firſt alteration which eſtabliſhed *Penitentiaries*, took away the burthen of publike confeſſion in that kinde of penitents, and therefore the ſecond muſt either abrogate private, or nothing.

Cardinall *Bellarmine* therefore finding that againſt the Writers of the Hiſtory it is but in vaine to ſtand upon ſo doubtfull terms, and exceptions, endeavoureth mightly to prove even by their report, no other confeſſion taken away then publike which *Penitentia-*

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ries used in private to impose upon publike offenders; *For why? It is* (saith he) *very certaine that the name of Penitents in the Fathers writings signifieth only publike penitents; certain, that to heare the confessions of the rest was more then one could possibly have done; certaine, that* Sozomen, *to shew how the Latin Church retained in his time what the Greek had clean cast of, declareth the whole order of publike penitency used in the Church of Rome, but of private he maketh no mention.* And in these considerations *Bellarmine* will have it the meaning both of *Socrates* and *Sozomen*, that the former Episcopall constitution, which first did erect *Penitentiaries*, could not concern any other offenders, then such as publikely had sinned after Baptisme. That only they, were prohibited to come to the holy Communion, except they did first in secret confesse all their sinnes to the *Penitentiarie*, by his appointment openly acknowledge their open crimes and doe publike penance for them: that whereas before *Novatians* uprising, no man was constrainable to confesse publikely any sinne, this Canon enforced publike offenders thereunto, till such time as *Nectarius* thought good to extinguish the practice thereof.

Let us examine therefore these subtile and fine conjectures, whether they be able to hold the touch, *It seemed good* (saith *Socrates*) *to put down the Office of these Priests which had charge of Penitency; what charge that was, the kinds of penitency then usuall must make manifest.* There is often speech in the Fathers Writings, in their Books frequent mention of Penitency, exercised within the chambers of our heart and seen of God, and not communicated to any other,

Τὸς ὀπὶ τ' μετανοίας περιελεῖν πρεσβυτέρους.

the whole charge of which penitency is imposed of God, and doth rest upon the sinner himselfe. But if Penitents in secret being guilty of crimes whereby they knew they had made themselves unfit guests for the Table of our Lord, did seek direction for their better performance of that which should set them cleare; it was in this case the *Penitentiaries* office to take their confessions, to advise them the best way he could for their souls good, to admonish them, to counsell them, but not to lay upon them more then private penance. As for notorious wicked persons, whose crimes were known, to convict, judge and punish them, was the office of the Eccleſiasticall Consistory; *Penitentiaries* had their Institution to another end: But unlesse we imagine that the ancient time knew no other repentance then publick, or that they had little occasion to speak of any other repentance, or else that in speaking thereof they used continually some other name, and not the name of repentance, whereby to expresse private penitency, how standeth it with reason that whensoever they write of Penitents, it should be thought they meant only publick Penitents? The truth is, they handle all three kinds, but private and voluntary repentance much oftner, as being of farre more generall use, whereas publike was but incident unto few, and not ofter then once incident unto any. Howbeit, because they doe not distinguish one kind of penitency from another by difference of names, our safest way for construction, is to follow circumstance of matter, which in this Narration will not yeeld it selfe applyable only unto publike penance, doe what they

they can, that would ſo expound it.

They boldly and confidently affirm that no man being compellable to confeſſe publikely any ſinne, before *Novatians* time, the end of inſtituting *Penitentiaries* afterward in the Church, was that by them, men might be conſtrained unto publick confeſſion. Is there any record in the world which doth teſtifie this to be true? There is that teſtifyeth the plaine contrary. For *Sozomen* declaring purpoſely the cauſe of their Inſtitution, ſaith, *that whereas men openly craving pardon at God's hands (for publick confeſsion the laſt act of Penitency was alwayes made in the forme of a contrite prayer unto God,) it could not be avoyded but they muſt withall confeſſe what their offences were*; This in the opinion of their Prelate ſeemed, from the firſt beginning (as we may probably think) to be ſomewhat burthenſome, that men whoſe crimes were unknown, ſhould blaze their own faults, as it were on the Stage, acquainting all the people with whatſoever they had done amiſſe. And therefore to remedy this inconvenience, they laid the charge upon one only Prieſt, choſen out of ſuch as were of beſt converſation, a ſilent and a diſcreet man, to whom they which had offended, might reſort and lay open their lives. He according to the quality of every ones tranſgreſſions, appointed what they ſhould doe or ſuffer, and left them to execute it upon themſelves. Can we wiſh a more direct and evident teſtimony, that the office here ſpoken of, was to eaſe voluntary penitents from the burthen of publike confeſſions, and not to conſtraine notorious offenders thereunto? That ſuch offenders were not compella-

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ble to open confessions till *Novatians* time, that is to say, till after the dayes of persecution under *Decius* the Emperour, they of all men should not so peremptorily avouch; which whom, if *Fabian* Bishop of *Rome*, who suffered Martyrdome the first yeare of *Decius*, be of any authority and credit, it must enforce them to reverse their sentence, his words are so plaine and clear against them. *For such as commit those crimes, whereof the Apostle hath said, They that doe them shall never inherite the Kingdome of heaven, must* (saith he) *be forced unto amendment, because they slip down to hell, if Ecclesiasticall Authority stay them not.*

Fab. Epist. Ep. 2. Tom. 1. Conc. p. 318.

Their conceit of impossibility, that one man should suffice to take the generall charge of penitency in such a Church as *Constantinople*, hath risen from a meer erroneous supposall, that the Ancient manner of private confession was like the shrift at this day usuall in the Church of *Rome*, which tyeth all men at one certain time to make confession, whereas confession was then neither looked for till men did offer it, nor offered for the most part by any other, then such as were guilty of hainous transgressions, nor to them any time appointed for that purpose. Finally, the drift which *Sozomen* had in relating the Discipline of *Rome*, and the forme of publike penitency there retained even till his time, is not to signify that only publike confession was abrogated by *Nectarius*, but that the West or Latin Church held still one and the same order from the very beginning, and had not, as the Greek, first cut of publike voluntary confession, by ordaining, and then private by removing *Penitentiaries*. Wherefore to conclude, it standeth

I hope very plain and clear, first against the one Cardinall, that *Nectarius* did truly abrogate confession in such sort as the Ecclesiasticall History hath reported; and secondly, as clear against them both, that it was not publike confession only which *Nectarius* did abolish.

The paradox in maintenance whereof *Hessels* wrote purposely a book touching this Argument to shew that *Nectarius* did but put the *Penitentiary* from his office, and not take away the office it selfe, is repugnant to the whole advice which *Eudæmon* gave, of leaving the people from that time forward to their own consciences, repugnant to the conference between *Socrates* and *Eudæmon*, wherein complaint is made of some inconvenience which the want of the office would breed; finally, repugnant to that which the History declareth concerning other Churches which did as *Nectarius* had done before them, not in deposing the same man (for that was impossible) but in removing the same office out of their Churches, which *Nectarius* had banished from his. For which cause *Bellarm.* doth well reject the opinion of *Hessels*, howsoever it please *Pamelius* to admire it as a wonderfull happy invention. But in sum, they are all gravelled, no one of them able to goe smoothly away and to satisfie either others, or himselfe, with his own conceit concerning *Nectarius*.

Nec est quod sibi blandiantur illi de facto Nectarii cùm id potius secretorũ peccatorum confessionem comprobet, & non aliud quam Presbyterum pænitentialem illo officio suo moverit, uti amplissimè deducit D. Ides Hasselius Pamel. in Cypr. lib. de amiot. 98. & in lib. Tertul. de pœn. [illegible]

Onely in this they are stiffe, that Auricular confession *Nectarius* did not abrogate, least if so much should be acknowledged, it might enforce them to grant that the Greek Church at that time held not confession, as the Latin now doth, to be the part of a Sacrament instituted by our Saviour Jesus Christ,

which therefore the Church till the worlds end hath no power to alter. Yet seeing that as long as publike voluntary confession of private crimes did continue in either Church (as in the one it remained not much above 200 years, in the other about 400) the only acts of such repentance were; first, the offenders intimation of those crimes to some one Presbyter, for which imposition of penance was sought; secondly, the undertaking of penance imposed by the Bishop; thirdly, after the same performed and ended, open confession to God in the hearing of the whole Church; whereupon fourthly, ensued the prayer of the Church; fifthly, then the Bishops imposition of hands; and so sixthly, the parties reconciliation or restitution to his former right in the holy Sacrament. I would gladly know of them which make only private confession a part of their Sacrament of penance, how it could be so in those times: For where the Sacrament of penance is ministred, they hold that confession to be Sacramentall which he receiveth who must absolve; whereas during the fore-rehearsed manner of penance, it can nowhere be shewed, that the Priest to whom secret information was given, did reconcile, or absolve any: for, how could he, when publike confession was to goe before reconciliation, and reconciliation likewise in publike thereupon to ensue? so that if they did account any confession Sacramentall, it was surely publike, which is now abolisht in the Church of *Rome*; and as for that which the Church of *Rome* doth so esteem, the Ancient neither had it in such estimation, nor thought it to be of so absolute necessity for the taking away of sinne: But (for any thing that I could ever observe

out of them) although not onely in crimes open and notorious, which made men unworthy and uneapable of holy myſteries, their Diſcipline required, firſt publike penance, and then granted that which S. *Hierom* mentioneth, ſaying, *The Prieſt layeth his hand upon the penitent, and by invocation intreateth that the holy Ghoſt may return to him again, and ſo after having enjoyned ſolemnly all the people to pray for him, reconcileth to the Altar him who was delivered to Satan for the deſtruction of his fleſh, that his ſpirit might be ſafe in the day of the Lord.* Although I ſay not only in ſuch offences being famouſly known to the world, but alſo if the ſame were committed ſecretly, it was the cuſtome of thoſe times, both that private intimation ſhould be given, and publike confeſſion made thereof, in which reſpect whereas all men did willingly the one, but would as willingly have withdrawn themſelves from the other, had they known how: *Is it tolerable,* (ſaith S. *Ambroſe*) *that to ſue to God thou ſhouldſt be aſhamed, which bluſheſt not to ſeek and ſue unto man? ſhould it grieve thee to be a ſuppliant to him from whom thou canſt not poſsible hide thy ſelfe, when to open thy ſins to him, from whom, if thou wouldſt, thou mighteſt conceal them, it doth not any thing at all trouble thee? This thou art loth to doe in the Church, where all being ſinners, nothing is more opprobrious indeed then concealment of ſinne, the moſt humble the beſt thought of, and the lowlieſt accounted the juſteſt.* All this notwithſtanding, wee ſhould doe them very great wrong, to father any ſuch opinion upon them, as if they did teach it a thing impoſſible for any ſinner to reconcile himſelf unto God, without confeſſion unto the Prieſt.

Sate dos imponit manum ſubjecto, reditum ſpiritus ſancti invocat, atq; ita eum qui traditus fuerat Satanæ in interitum carnis, ut ſpiritus ſalvus fieret, indicta in populum oratione altari reconciliat. Hier. adverſ. Lucif.

Ambroſ. de pœn. l. 2. c. 10.

Chryst. hom. περὶ μετανοίας καὶ ἐξομολογήσεως παρὰ τοῖς λογισμοῖς γενέσθω τῶν πεπλημμελημένων ἡ γόμενον.

Would *Chrysostome* thus perswaded have said, *Let the enquiry and punishment of thy offences be made in thine own thoughts, let the Tribunall whereat thou arraignest thy selfe be without witnesse, Let God and only God see thee and thy confession.*

ἐξέτασις, ἀμάρτυρον ἔστω τὸ δικαστήριον, ὁ Θεὸς ὁράτω μόνος ἐξομολό-

Cassian. Collat. 20. c. 8.

Would *Cassianus* so beleeving have given counsell, *That if any were with-held with bashfulnesse from discovering their faults to men, they should be so much the more instant and constant in opening them by supplication to God himselfe, whose wont is to help without publication of men's shame, and not to upbraid them when he pardoneth?*

Prosper. de vita contempl. lib. 2. c. 7.

Finally, would *Prosper* setled in this opinion have made it, as touching reconciliation to God, a matter indifferent, *whether men of Ecclesiasticall order did detect their crimes by confession, or leaving the world ignorant thereof, would separate voluntarily themselves for a time from the Altar, though not in affection, yet in execution of their Ministery, and so bewaile their corrupt life? would he have willed them as he doth, to make bold of it, that the favour of God being either way recovered by fruits of forcible repentance, they should not only receive whatsoever they had lost by sinne, but also after this their new enfranchisement, aspire to the endlesse joyes of that supernall City?* To conclude, we everywhere finde the use of confession, especially publike, allowed of, and commended by the Fathers, but that extream and rigorous necessity of Auricular and private confession, which is at this day so mightily upheld by the Church of *Rome*, we finde not. First, it was not then the

the faith and Doctrine of God's Church, as of the Papacy at this preſent. Secondly, That the only remedy for ſinne after Baptiſm, is Sacramentall penitency. Thirdly, That confeſſion in ſecret is an eſſentiall part thereof. Fourthly, That God himſelfe cannot now forgive ſinne without the Prieſt. That becauſe forgiveneſſe at the hands of the Prieſt muſt ariſe from confeſſion in the offenders; therefore to confeſſe unto him, is a matter of ſuch neceſſity, as being not either in deed, or at the leaſt in deſire performed, excludeth utterly from all pardon, and muſt conſequently in Scripture be commanded, whereſoever any promiſe of forgiveneſſe is made. No, no; theſe opinions have youth in their countenance, Antiquity knew them not, it never thought nor dreamed of them.

But to let paſſe the Papacy. For as much as Repentance doth import alteration within the minde of a ſinfull man, whereby through the power of God's moſt gracious and bleſſed Spirit, he ſeeth, and with unfained ſorrow acknowledgeth former offences committed againſt God, hath them in utter deteſtation, ſeeketh pardon for them in ſuch ſort as a Chriſtian ſhould doe, and with a reſolute purpoſe ſetleth himſelfe to avoid them, leading as neare as God ſhall aſſiſt him for ever after an unſpotted life; and in the order (which Chriſtian Religion hath taught for procurement of God's mercy towards ſinners) confeſſion is acknowledged a principall duty; yea, in ſome caſes, confeſſion to man, not to God only; it is not in reformed Churches denied by the Learneder ſort of Divines, but that even

Calv. Inſtit. lib. 3. cap. 4. §. 7.

even this confeſſion, cleared from all errours, is both lawfull and behoveſull for God's people.

Confeſſion by man being either private or publike, private confeſsion to the Miniſter alone touching ſecret crimes, or abſolution thereupon enſuing, as the one, ſo the other is neither practiſed by the French Diſcipline, nor uſed in any of thoſe Churches, which have bin caſt by the French mould. Open confeſſion to be made in the face of the whole Congregation by notorious malefactors, they hold neceſſary; howbeit not neceſſary towards the remiſſion of ſins: But only in ſome ſort to content the Church, and that one man's repentance may ſeeme to ſtrengthen many, which before have been weakned by one mans fall.

Sed tantum ut Eccleſia ſit aliqua ratione ſatisfactum, & omnes unius pœnitentia confirmentur, qui fuerant unius peccatis & ſcandalis vulnerati. Calv. l. 1. in Pſa. 32. v. 5.

Saxonians and *Bohemians* in their Diſcipline conſtraine no man to open confeſſion: Their Doctrine is, that whoſe faults have been publike and thereby ſcandalous unto the world, ſuch when God giveth them the ſpirit of repentance, ought as ſolemnly to return, as they have openly gone aſtray. Firſt, for the better teſtimony of their own unfained converſion unto God. Secondly, the more to notifie their reconcilement unto the Church: And laſtly, that others may make benefit of their example.

Harm. confeſſ. Sect. 8. cap. 5. caſ. confeſſ. Bohem.

But concerning confeſſion in private, the Churches of *Germany*, as well the reſt, as *Lutherans* agree, that all men ſhould at certain times confeſſe their offences to God in the hearing of Gods Miniſters, thereby to ſhew how their ſinnes diſpleaſe them, to receive inſtruction for the warier carriage of themſelves hereafter, to be ſoundly reſolved, if any ſcruple or ſnare

of

of conscience doe entangle their minds, and which is most materiall, to the end that men may at God's hands seek every one his owne particular pardon, through the power of those Keyes, which the Minister of God using according to our blessed Saviours Institution in that case, it is their part to accept the benefit thereof as God's most mercifull Ordinance for their good, and without any distrust or doubt, to embrace joyfully his grace so given them, according to the word of our Lord, which hath said, *Whose sinnes yee remit are remitted.* So that grounding upon this assured beliefe, they are to rest with minds encouraged and perswaded concerning the forgivenesse of all their sinnes, as out of Christ's own word and power by the Ministery of the Keyes. *Cap. 5. Confess. Polem.*

It standeth with us in the Church of *England*, as touching publike confession thus:

First, seeing day by day we in our Church begin our publike Prayers to Almighty God, with publike acknowledgement of our sinnes, in which confession every man prostrate as it were before his glorious Majesty, cryeth against himselfe, and the Minister with one sentence pronounceth universally all clear, whose acknowledgement so made hath proceeded from a true penitent minde; what reason is there, every man should not under the generall termes of confession represent to himself his own particulars whatsoever, and adjoyning thereunto that affection which a contrite spirit worketh, embrace to as full effect the words of Divine grace, as if the same were severally and particulary uttered with addition of prayers, imposition of hands, or all the ceremonies

and

gainſt penitents which come ſhort thereof in the devotion of their prayers, in the continuance of their faſts, in the largeneſſe and bounty of their Almes, or in the courſe of any other ſuch like duties, is more then God himſelf hath thought meet, and conſequently more then mortall men ſhould preſume to doe. That which God doth chiefely reſpect in mens penitency, is their hearts. *The heart is it which maketh repentance ſincere*, ſincerity that which findeth favour in Gods ſight, and the favour of God that which ſupplieth by gracious acceptation whatſoever may ſeem defective in the faithfull, hearty and true offices of his ſervants. Take it (ſaith *Chryſ.*) upon my credit, *Such is Gods mercifull inclination towards men, that repentance offered with a ſingle and ſincere minde, hee never refuſeth, no, not although wee bee come to the very top of iniquitie.* If there bee a will and deſire to return, he receiveth, imbraceth, omitteth nothing which may reſtore us to former happineſſe; yea, that which is yet above all the reſt, albeit wee cannot in the duty of ſatisfying him, attain what we ought, and would, but come farre behinde our marke, hee taketh nevertheleſſe in good worth that little which we doe; bee it never ſo meane, wee looſe not our labour therein. The leaſt and loweſt ſteppe of Repentance in Saint *Chryſoſtomes* judgement ſevereth and ſetteth us above them that periſh in their ſinne. I therefore will end with Saint

Jer. 29. 13. Joel 2. 12.

Chryſ. de repar. lapſ. lib. ad Theodor. De poſit. diſt. 2. c. Talis.

Auguſtines

Auguſtines concluſion. *Lord, in thy Booke and Volume of life all ſhall bee written, as well the leaſt of thy Saints, as the cheifeſt.* Let not therefore the unperfect feare; Let them onely proceed and go forward. Aug. in Pſ. 138.

FINIS.

7 AF 55

OF THE LAWES OF Eccleſiaſticall Politie:

The eighth Book;

Containing their ſeventh Aſſertion:

That to no civill Prince or Governour, there may be given ſuch power of Eccleſiaſticall Dominion as by the Lawes of this Land belongeth unto the ſupreme Regent thereof.

WEE come now to the laſt thing whereof there is controverſie moved, namely *the power of ſupreme juriſdiction*, which for diſtinction ſake we call *the power of Eccleſiaſticall dominion*. It was not thought fit in the *Iewes Common-wealth*, that the exerciſe of *Supremacy Eccleſiaſticall* ſhould be denied unto him, to whom the exerciſe of *Chiefty Civill* did appertaine; and therefore their Kings were inveſted with both. This power they gave unto *Simon*, when they conſented that he ſhould be their Prince, not onely *Maccab* 14.

to ſet men over their works, and countrey, and weapons, but alſo to provide for the holy things; and that he ſhould be obeyed of every man, and that the writings of the countrey ſhould be made in his name; and that it ſhould not be lawfull for any of the people or Prieſts to withſtand his words, or to call any congregation in the countrey without him. And if happily it be ſurmiſed that thus much was given to *Simon*, as being both Prince and high Prieſt; which otherwiſe (being their *Civill Governor*) he could not lawfully have enjoyed: we muſt note, that all this is no more then the ancient Kings of that People had, being Kings and not Prieſts. By this power, *David*, *Aſa*, *Iehoſaphat*, *Ioſias*, and the reſt, made thoſe Laws and Orders which ſacred Hiſtory ſpeaketh of, concerning matters of meer Religion, the affaires of the Temple, and ſervice of God. Finally had it not been by the vertue of this power, how ſhould it poſſibly have come to paſſe, that the piety or impiety of the Kings did alwayes accordingly change the publique face of Religion; which things the Prophets by themſelves never did, nor at any time could hinder from being done: had the Prieſts alone been poſſeſt of all power in Spirituall affaires, how ſhould any thing concerning matter of Religion have been made but only by them; in them it had been and not in the King to change the face of Religion at any time; the altering of Religion, the making of Eccleſiaſticall Lawes, with other the like actions belonging unto the power of Dominion, are ſtill termed *the deeds of the King*: to ſhew, that in him was placed the ſupremacy of power in this kind over all; and that

unto

unto their Prieſts the ſame was never committed, ſaving onely at ſuch times as the Prieſts were alſo Kings and Princes over them. According to the pattern of which example, the like power in cauſes Eccleſiaſticall is by the Lawes of this Realm annexed unto the Crown; and there are which doe imagine, that Kings being meere Lay-perſons, doe by this means exceed the lawfull bounds of their callings; which thing to the end that they may perſwade, they firſt make a neceſſary ſeparation perpetuall and perſonall between *the Church* and *the Common-wealth*. Secondly, they ſo tie all kind of *power Eccleſiaſticall* unto the *Church*, as if it were in every degree their only right; who are by proper ſpirituall functions termed *Church Governours*, and might not unto *Chriſtian Princes* in any wiſe appertaine. To lurk under ſhifting ambiguities and equivocations of words in matter of principall waight, is childiſh. A Church and a Common-wealth we grant, are things in nature one diſtinguiſhed from the other: a Common wealth is one way, and a Church an other way defined. In their opinions the Church and Common-wealth are corporations, not diſtinguiſhed onely in nature and definition, but in ſubſiſtance perpetually ſevered: ſo that they which are of the one, can neither appoint, nor execute, in whole nor in part, the duties which belong to them which are of the other, without open breach of the Law of God which hath divided them; and doth require, that ſo being divided, they ſhould diſtinctly or ſeverally work, as depending both upon God, and not hanging one upon the others approbation. For that which either hath to doe, we ſay that

the care of Religion being common to all ſocieties Politique, ſuch ſocieties as do embrace the true Religion have the name of the Church given unto every one of them for diſtinction from the reſt: ſo that every body Politique hath ſome Religion, but the Church that Religion which is onely true. *Truth* of Religion is the proper difference whereby a Church is diſtinguiſhed from other Politique ſocieties of men; we here meane true Religion in groſſe, and not according to every particular: for they which in ſome particular points of Religion doe ſever from the truth, may nevertheleſſe truely (if we compare them to men of an heatheniſh Religion) be ſaid to hold and profeſſe that Religion which is true. For which cauſe there being of old ſo many Politique ſocieties ſtabliſhed through the world, onely the Common-wealth of Iſrael which had the truth of Religion, was in that reſpect the Church of God: and the Church of Jeſus Chriſt is every ſuch Politique ſociety of men, as doth in Religion hold that truth which is proper to Chriſtianity. As a Politique ſociety it doth maintain Religion, as a Church, that Religion which God hath revealed by Jeſus Chriſt: with us, therefore the name of a Church importeth onely a ſociety of men, firſt united into ſome publique forme of Regiment, and ſecondly diſtinguiſhed from other ſocieties by the exerciſe of Religion. With them on the other ſide, the name of the Church in this preſent queſtion, importeth not onely a multitude of men ſo united, and ſo diſtinguiſhed, but alſo further, the ſame divided neceſſarily and perpetually from the body of the Com-

mon-

mon-wealth: ſo that even in ſuch a Politique ſociety as conſiſteth of none but Chriſtians, yet the Church and Common-wealth are two Corporations, independently ſubſiſting by it ſelf.

We hold, that ſeeing there is not any man of the Church of *England*, but the ſame man is alſo a member of the Common-wealth; nor any member of the Common-wealth, which is not alſo of the Church of *England*. Therefore, as in a figure Triangle, the Baſe doth differ from the Sides thereof, and yet one and the ſelf ſame Line is both a Baſe and alſo a Side; a Side ſimply, a Baſe if it chance to be the bottom and underly the reſt. So albeit, properties and actions of one doe cauſe the name of a Common-wealth; qualities and functions of another ſort, the name of the Church to be given to a multitude; yet one and the ſelf ſame multitude may in ſuch ſort be both. Nay, it is ſo with us, that no perſon appertaining to the one, can be denied alſo to be of the other: contrariwiſe, unleſſe they againſt us ſhould hold that the Church and the Common-wealth are two, both diſtinct and ſeparate ſocieties; of which two, one comprehendeth alwayes perſons not belonging to the other, (that which they doe) they could not conclude out of the difference between the Church and the Common-wealth, namely that the Biſhops may not meddle with the affaires of the Common-wealth, becauſe they are Governors of another Corporation, which is the Church; nor Kings, with making Lawes for the Church, becauſe they have government not of this Corporation, but of another divided from it; the Common-wealth and the walls of

ſeparation between theſe two, muſt for ever be upheld: they hold the neceſſity of perſonall ſeparation which cleane excludeth the power of one mans dealing with both; we of naturall, but that one and the ſame perſon may in both bear principall ſway.

The cauſes of common received errours in this point ſeeme to have been eſpecially two: one, that they who embrace true Religion, living in ſuch Common-wealths as are oppoſite thereunto; and in other publique affaires, retaining civill communion with ſuch as are conſtrained for the exerciſe of their Religion, to have a ſeverall communion with thoſe who are of the ſame Religion with them. This was the ſtate of the Jewiſh Church both in *Egypt* and *Babylon*; the ſtate of Chriſtian Churches along time after Chriſt. And in this caſe, becauſe the proper affaires and actions of the Church, as it is the Church, hath no dependance on the Lawes, or upon the Government of the Civill State; an opinion hath thereby growne, that even ſo it ſhould be alwayes: this was it which deceived *Allen* in the writing of his Apology; *The Apoſtles* (ſaith he) *did govern the Church in Rome when Nero bare rule, even as at this day in all the Churches dominions: the Church hath a ſpirituall regiment without dependance, and ſo ought ſhe to have amongſt heathens, or with Chriſtians.* Another occaſion of which miſconceit is, That things appertaining to Religion are both diſtinguiſhed from other affairs, and have alwayes had in the Church ſpirituall perſons choſen to be exerciſed about them. By which diſtinction of Spirituall affaires, and perſons therein employed from Temporalll, the errour of perſonall

ſeparation

ſeparation alwayes neceſſary betweene the Church and Common wealth hath ſtrengthened it ſelf. For of every Politique ſociety, that being true which *Ariſtotle* ſaith, namely, *That the ſcope thereof is not ſimply to live, nor the duty ſo much to provide for the life, as for means of living well*: And that even as the ſoule is the worthier part of man, ſo humane ſocieties are much more to care for that which tendeth properly to the ſoules eſtate, then for ſuch temporall things which the life hath need of. Other proofe there needeth none to ſhew, that as by all men the kingdom of God is to be ſought firſt, for ſo in all Common-wealths, things ſpirituall ought above temporall to be ſought for; and of things ſpirituall, the chiefeſt is Religion. For this cauſe, perſons and things employed peculiarly about the affaires of Religion, are by an excellency termed ſpirituall. The Heathens themſelves had their ſpirituall lawes, and cauſes, and affaires, alwayes ſevered from their temporall; neither did this make two independent eſtates among them: God by revealing true Religion doth make them that receive it his Church. Unto the *Iewes* hee ſo revealed the truth of Religion, that he gave them in ſpeciall conſiderations, Lawes, not onely for the adminiſtration of things ſpirituall, but alſo temporall. The Lord himſelfe appointing both the one and the other in that Common-wealth, did not thereby diſtract it into ſeverall independent communities, but inſtitute ſeverall functions of one and the ſelf ſame community: ſome reaſons therfore muſt there be alleadged why it ſhould bee otherwiſe in the Church of Chriſt.

Ariſt. polit. lib. 3. cap. 16.

Matth. 6.

Ariſt. pol lib. 3. cap. 20.
Livius lib. 1.

I.

Three kinds of their proofes are taken from the difference of affaires and offices,

I ſhall not need to ſpend any great ſtore of words in anſwering that which is brought out of the holy Scripture, to ſhew that Secular and Eccleſiaſticall affaires and offices are diſtinguiſhed; neither that which hath been borrowed from antiquity, uſing by phraſe of ſpeech to oppoſe the Common-weale to the Church of Chriſt: neither yet their reaſons which are wont to be brought forth as witneſſes, that the Church and Common-weale were alwayes diſtinct; for whether a Church or Common-weal do differ, is not the queſtion we ſtrive for; but our controverſie is concerning the kind of diſtinction, whereby they are ſevered the one from the other; whether as under heathen Kings the Church did deale with her owne affaires within her ſelf, without depending at all upon any in Civill authority; and the Common-weal in hers, altogether without the privity of the Church: ſo it ought to continue ſtill even in ſuch Common-weals as have now publiquely embraced the truth of Chriſtian Religion; whether they ought evermore to be two ſocieties in ſuch ſort, ſeverall and diſtinct. I aske therefore what ſociety was that in *Rome*, whereunto the Apoſtle did give the name of the Church of *Rome* in his time? If they anſwer (as needs they muſt) that the Church of *Rome* in thoſe dayes was that whole ſociety of men, which in *Rome* profeſſed the name of Chriſt, and not that Religion which the Lawes of the Common-weal did then authorize; we ſay as much, and therefore grant, that the Common weale of *Rome* was one ſociety, and the Church of *Rome* another, in ſuch ſort that there was between them no mutuall dependence. But when whole

whole *Rome* became Chriſtian where they all embraced the Goſpel, and made Lawes in defence thereof, if it be held that the Church and Common-weale of *Rome* did then remaine as before, there is no way how this could be poſſible, ſave only one, and that is, They muſt reſtraine the name of a Church in a Chriſtrian Common-weale to the Clergy, excluding all the reſt of believers both Prince, and people; For if all that believe be contynued in the name of the Church, how ſhould the Church remaine by perſonall ſubſiſtence divided from the Common-weale, when the whole Common-weale doth believe? The Church and the Common-weale are in this caſe therefore perſonally one ſociety, which ſociety being termed a Common-weale as it liveth under whatſoever form of ſecular Law and Regiment, a Church as it liveth under the ſpirituall Law of Chriſt; For ſo much as theſe two Lawes containe ſo many and different Offices, there muſt of neceſty be appointed in it ſome to one charge, and ſome to another, yet without deviding the whole, and making it two ſeverall impaled Societies.

The difference therefore either of affairs or offices Eccleſiaſticall from ſecular, is no argument that the Church and Common-Weale are alwayes ſeperate and independent, the one on the other; which thing even *Allaine* himſelfe conſidering ſomewhat better, doth in this point a little correct his former judgement before mentioned, and confeſſeth in his defence of Engliſh Catholicks, that the power politicall hath her Princes, Lawes, Tribunalls; the ſpirituall her Prelates, Canons, Councels, Judgements; and

1 *Chron* 14.8. 11. *Heb.* 5.1. *Allaine, lib.* 3. *p* 151.

those (when the temporall Princes are Pagans) wholly separate, but in Christian Common-weals joyned; though not confounded. Howbeit afterwards his former sting appeareth againe; for in a Common-wealth he holdeth, that the Church ought not to depend at all upon the authority of any Civill person whatsoever, as in *England* he saith it doth.

2. Taken from the speeches of the Fathers opposing the one to the other.

It will be objected that the Fathers doe oftentimes mention the Common-weale and the Church of God, by way of opposition. Can the same thing bee opposed to it selfe? If one and the same society, be both Church and Common-wealth, what sence can there be in that speech, *that they suffer and flourish together*? what sence is that which maketh one thing to be adjudged to the Church, and another to the Common wealth? Finally, in that which putteth a difference between the causes of the Province and the Church, doth it not hereby appeare, that the Church and the Common-weale, are things evermore personally separate? No, it doth not hereby appeare that there is not perpetually any such separation: wee speak of them as two, wee may sever the rights and the causes of the one well enough from the other, in regard of that difference which we grant is between them, albeit we make no personall difference. For the truth is, that the Church and the Common-wealth, are names which import things really different; but those things are accident, and such accidents as may and alwayes should lovingly dwell together in one subject. Wherefore the reall difference between the accidents signified by these names, doth not prove different subjects for them alwayes

Lib. de vita Constan. lib. 3. cap. 1. p. 167

alwayes to reſide in. For albeit the ſubjects wherein they be reſident be ſometimes different, as when the people of God have their reſidence among Infidels; yet the nature of them is not ſuch, but that their ſubject may be one; and therefore it is but a changeable accident in thoſe accidents they are to be divers: There can be no errour in our conceit concerning this point, if we remember ſtill what accident is, for which a ſociety hath the name of a Common-wealth, and what accident that which doth cauſe it to be termed a Church: a Common-wealth, wee name it ſimply in regard of ſome regiment or pollicy under which men live; a Church for the truth of that Religion which they profeſſe. Now names betokening accidents inabſtracted, betoken not only the accidents themſelves, but alſo together with them ſubjects whereunto they cleave. As when we name a School maſter and a Phyſitian, thoſe names doe not only betoken two accidents, teaching and curing, but alſo ſome perſon or perſons in whom thoſe accidents are. For there is no impediment but both may be in one man, as well as they are for the moſt part divers. The Common-weale and the Church therefore being ſuch names, they doe not onely betoken theſe accidents of Civill Government and Chriſtian Religion, which we have mentioned, but alſo together with them ſuch multitudes as are the ſubjects of thoſe accidents Again, their nature being ſuch as they may well enough dwell together in one ſubject, it followeth that their names though alwayes imploying that difference of accidents that hath been ſet down, yet doe not alwayes

imply different ſubjects alſo. When we oppoſe therefore the Church and the Common-wealth in Chriſtian Society, we mean by the Common wealth that Society with relation to all the publike affaires thereof, only the matter of true Religion excepted: By the Church the ſame Society with only reference unto the matter of true Religion, without any affaires; beſides, when that Society which is both a Church and a Common-wealth, doth flouriſh in thoſe things which belong unto it as a Common-wealth, we then ſay the Common-wealth doth flouriſh; when in both them, we then ſay, the Church and Common-wealth doe flouriſh together.

The Prophet *Eſay* to note corruptions in the Common-wealth, complaineth, *That where juſtice and judgement had lodged, now were murtherers; Princes were become Companions of Theeves, every one loved gifts, and rewards; but the Fatherleſſe was not judged, neither did the widdowes cauſe come before them.* To ſhew abuſes in the Church, *Malachy* doth make his complaint, *Yee offer unclean bread upon mine Altar. If yee offer the blinde for ſacrifice, it is not evill as yee think; if the lame and the ſick, nothing is amiſſe.* The Treaſure which *David* beſtowed upon the Temple, did argue the love which he bare unto the Church: The pains which *Nehemiah* took for building the wals of the City, are tokens of his care for the Common-wealth. Cauſes of the Common-wealth, or Province, are ſuch as *Gallio* was content to be judge of. *If it were a matter of wrong, or an evill deed (O ye Iewes) I would according to reaſon maintaine you.* Cauſes of the Church, are ſuch as *Gallio* there reciteth;

Eſay 1. 23.

Mal. 1. 8.

1 *Chron.* 29. 3.

Nehem. 2. 17.

Act. 18. 14.

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if it be a queſtion of your Law, look ye to it, I will be no Iudge thereof: In reſpect of this difference therefore the Church and the Common wealth, may in ſpeech be compared or oppoſed aptly enough the one to the other; yet this is no argument, that they are two independent Societies.

Some other reaſons there are which ſeem a little more neerly to make for the purpoſe, as long as they are but heard, and not ſifted: For what though a man being ſevered by Excommunication from the Church, be not thereby deprived of freedom in the city, or being there diſcommoned, is not therefore forthwith Excommunicated and excluded the Church? What though the Church be bound to receive them upon repentance, whom the Common-weale may refuſe againe to admit? If it chance the ſame man to be ſhut out of both, diviſion of the Church and Common-weale which they contend for, will very hardly hereupon follow: For we muſt note that members of a Chriſtian Common-weale have a triple ſtate, a naturall, a civill, and a ſpirituall: No mans naturall eſtate is cut off otherwiſe then by that capitall execution. After which, he that is none of the body of the Common-wealth, doth not I think remaine fit in the body of that viſible Church. And concerning mans civill eſtate, the ſame is ſubject partly to inferiour abatements of liberty, and partly to dimunition in the higheſt degree, ſuch as baniſhment is; ſith it caſteth out quite and clean from the body of the Common-weale, it muſt needs alſo conſequently caſt the baniſhed party even out of the very Church he was of before; becauſe that Church

1. Taken from the effect of punishment inflicted by the one or the other.

and the Common-weale he was of, were both one and the ſame Society; So that whatſoever doth utterly ſeparate a mans perſon from the one, it ſeparateth from the other alſo. As for ſuch abatements of civill eſtate as take away only ſome priviledge, dignity, or other benefit, which a man enjoyeth in the Common-weale, they reach only to our dealing with publike affaires, from which what may let, but that men may be excluded, and thereunto reſtored again without diminiſhing or augmenting the number of perſons, in whom either Church or Common-wealth conſiſteth. He that by way of puniſhment looſeth his voyce in a publike election of Magiſtrates, ceaſeth not thereby to be a Citizen; A man disfranchiſed may notwithſtanding enjoy as a ſubject the common benefit of protection under Laws and Magiſtrates; ſo that theſe inferiour diminutions which touch men civily, but neither doe cleane extinguiſh their eſtates, as they belong to the Common-wealth, or impaire a whit their condition as they are of the Church of God: Theſe I ſay doe clearly prove a difference of the one from the other, but ſuch a difference as maketh nothing for their ſurmiſe of diſtracted Societies.

And concerning Excommunication, it cutteth off indeed from the Church, and yet not from the Common-wealth; howbeit ſo that the party Excommunicate is not thereby ſevered from one body which ſubſiſteth in it ſelfe, and retained by another in like ſort ſubſiſting; but he which before had fellowſhip with that Society whereof he was a member, as well touching things Spirituall as Civill, is now by force

of

of Excommunication, although not ſevered from the body in Civill affaires, reverthelesſe for the time cut off from it as touching communion in thoſe things which belong to the ſame body, as it is the Church: A man which having been both Excommunicated by the Church, and deprived of Civill dignity in the Common-wealth, is upon his repentance neceſſarily reunited into the one, but not of neceſſity into the other. What then? That which he is admitted unto, is a communion in things Divine, whereof both parts are partakers, that from which hee is with-held, is the benefit of ſome humane previledge, or right, which other Citizens happily enjoy. But are not theſe Saints and Citizens, one and the ſame people, are they not one and the ſame Society? doth it hereby appeare that the Church which received an Excommunicate, can have no dependency on any perſon which hath cheiſe Authority and power of theſe things in the Common-wealth, whereunto the ſame party is not admitted. Wherefore to end this point, I conclude; Firſt, that under the dominions of infidels, the Church of Chriſt, and their Common-wealth, were two Societies independent. Secondly, that in thoſe Common-wealths, where the Biſhop of *Rome* beareth ſway, one Society is both the Church and the Common-wealth: But the Biſhop of *Rome* doth devide the body into two divers bodies, and doth not ſuffer the Church to depend upon the power of any civill Prince and Potentate. Thirdly, that within this Realm of *England*, the caſe is neither as in the one, nor as in the other of the former

former two, but from the ſtate of Pagans we differ; in that with us one Society is both the Church and Common-wealth, which with them it was not. As alſo from the ſtate of thoſe Nations which ſubjected themſelves to the Biſhop of *Rome*, in that our Church hath dependance from the chiefe in our Common-wealth, which it hath not when he is ſuffered to rule. In a word, our ſtate is according to the pattern of Gods own antient elect people, which people was not part of them the Common-wealth, and part of them the Church of God; but the ſelfe ſame people whole and entire were both under one chiefe Governour, on whoſe Supreame Authority they did all depend. Now the drift of all that hath been alleadged to prove perpetuall ſeparation and independency between the Church and the Common-wealth, is, that this being held neceſſary, it might conſequently be thought fit, that in a Chriſtian Kingdom, he whoſe power is greateſt over the Common-wealth, may not lawfully have ſupremacy of power alſo over the Church, that is to ſay, ſo farre as to order thereby and to diſpoſe of ſpirituall affaires, ſo farre as the higheſt uncommanded Commander in them. Whereupon it is grown a queſtion, whether Government Eccleſiaſticall, and power of Dominion in ſuch degrees as the Law of this Land doe grant unto the Soveraign Governour thereof, may by the ſaid ſupream Governour lawfully be enjoyd and held: For reſolution wherein we are, Firſt, to define what the power of dominion is. Secondly, then to ſhew by what right. Thirdly, after what ſort. Fourthly, in what meaſure: Fiftly, in what

what inconveniency. According to whoſe example Chriſtian Kings may have it. And when theſe generals are opened, to examine afterwards how lawfull that is which wee in regard of Dominion doe attribute unto our own: namely, the title of headſhip over the Church, ſo farre as the bounds of this Kingdome do reach. Secondly, the Prerogative of calling and diſſolving great aſſemblies, about ſpirituall affaires publike. Thirdly, the right of aſſenting unto all thoſe orders concerning Religion, which muſt after be in force as Law. Fourthly, the advancement of principall Church Governours to their roomes of Prelacy. Fifthly, judiciall Authority higher then others are capable of. And ſixthly, exemption from being puniſhable with ſuch kind of Cenſures as the platform of Reformation doth teach, that they ought to be ſubject unto.

What the Power of Dominion is.

WIthout order there is no living in publike Society, becauſe the want thereof is the mother of confuſion, whereupon diviſion of neceſſity followeth, and out of diviſion, deſtruction. The Apoſtle therefore giving inſtruction to publike Societies, requireth that all things be orderly done: Order can have no place in things, except it be ſettled amongſt the perſons that ſhall by office be converſant about them. And if things and perſons be ordered, this doth imply that they are diſtinguiſhed by degrees. For order is a graduall diſpoſition: The whole world conſiſting of parts ſo many, ſo *Luke 22.* *1 Cor. 14.*